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THE
HISTORY
OF
ENGLAND,
FROM
THE YEAR 1765, TO THE
YEAR 1795.

*Being a CONTINUATION of the HISTORIES of
Mr. HUME and Dr. SMOLLETT.*

By J. BARLOW, Esq.

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1795.

THE
HISTORY
OF
ENGLAND
FROM
THE YEAR 1700 TO THE
YEAR 1785

By a Committee of the History
of the House of Commons

BY J. BARLOW, ESQ.



LONDON:

PRINTED FOR J. BARLOW,

AT THE HOUSE OF COMMONS.

1785

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CHAPTER VIII.

State of parties—Embarrassment of the East India company—The meeting of parliament—Secret committee appointed to inquire into the affairs of the East India company—Debates on the bill to restrain the company from sending out supervisors to India—Proposals from the company for a loan—The company petition against the resolutions of the house—Bill for regulating their affairs—Lord Clive's conduct in India arraigned—An addition made to the pensions of half-pay captains of the British navy—The bill for the relief of Dissenting ministers rejected—The session ends—State of the neighbouring nations at this time—Suppression of the Jesuits.

[A. D. 1772, 1773.]

OF the general state of parties in Great Britain at the period which at present solicits our attention, it may be observed, that the remains of the old whig and revolution interest, which has frequently been noticed, under the name of the Rockingham party (although diminished by some actual desertions, and notwithstanding a doubtful appearance in a few of those that remained), were, in the main, rather better united than the rest. They in general continued pertinaciously in their opposition to the system and measures of the court, and firm in support of their leader.

The party which was thought particularly attached to lord Chatham, did not seem much nearer to a political arrangement with administration; though they agreed with them in many of the measures in the last and ensuing sessions. This circumstance added extremely to the weakness of opposition. In this state of security the few changes which we have noticed in the last chapter to have taken place in administration, could neither affect its internal strength, nor its external conduct. This, therefore, may be considered as the period when the power of lord North appeared most firmly established. The dark cloud that was gathering at the extremity of the western horizon had not yet risen to an altitude sufficient to render it visible to the generality of the people.

The East India company had long constituted one of the most important and most delicate objects of government. From the time when their affairs were first introduced into parliament in the year 1767, the idea of bringing the business of that company under the immediate inspection of the officers of the crown, had rather been suspended than abandoned. The difficulties however attending this plan, and the large sums of money by which the respite was purchased from government, rendered administration rather supine on that subject for several years; until the impossibility of the annual payment to the state, and the annual increased dividend to the proprietors, roused both proprietors and ministers from their lethargy, excited the sharpest dissensions amongst the former, and animated the latter to the prosecution of their original project of acquiring additional power to themselves, from the innumerable embarrassments of the company. The distresses and disorders indeed of that body had increased, at this time, to such a degree, that it was thrown almost defenceless into the hands of administration. The directors were under the necessity of entering into a negotiation with government for a loan to extricate their affairs, at a time when the most hostile measures were, probably, in contemplation.

Such was the general state of affairs when the parliament met on the 26th of November 1772. The two
houses

houses were informed by the speech from the throne, that the recess from public business would have been longer, if the difficulties in which the East India company appeared to be involved, had not rendered an early inquiry into the state of their affairs absolutely necessary, in order to make such provisions for the common benefit and security of the various interests concerned, as should be found best adapted to the exigencies of the case. They were further informed that hopes were now entertained that the war which had so long unhappily prevailed in a part of Europe was drawing to a conclusion, and that foreign powers had given the strongest assurances of their pacific disposition towards this country.

After the usual address to his majesty was passed, the minister moved for the appointment of a *committee of secrecy*, to consist of thirteen persons, for taking into consideration the state of the affairs of the East India company, which by this means might undergo a full investigation, yet without being exposed to the world; and as the members of this committee were to be chosen by ballot, no objection could be made that did not militate with equal strength against an investigation by the whole house.—This mode of private inquiry was, however, deprecated as unprecedented and unconstitutional: It was said that the members would, in effect, be nominated by the minister, and act under his direction; that it was impossible to reconcile the idea of a *secret* committee with the free investigation of a whole parliament. Every information, said the opponents to this motion, which the minister thinks proper to conceal, will be withheld; and if this should not be the case, a *secret* committee is a solecism in terms. It can be no longer secret than during the time it takes for inquiry. Its proceedings must be laid before the public; and if they give an unjust account, the house will be deceived, and without the power of coming at the truth. Notwithstanding this opposition, the motion for the appointment of a *secret* committee passed without a division. The members were, indeed, chosen by ballot, but so favourable to the views of administration, that almost the whole of them *happened*

pened to be gentlemen devoted to it. This committee was enjoined to consider of sending out a commission of supervision to the East Indies. In the course of the debates on this motion, insinuations were thrown out against the select committee, which drew forth spirited answers from some of the gentlemen who composed it. That select committee likewise was also revived, the day after the determination regarding the secret committee. Thus it was said these committees will be a check on each other, and between them the nation will have every requisite degree of information on the whole business.

Soon after the appointment of the secret committee they gave in their first report, stating, that as the company was in the most pressing distress from want of money, a bill ought to be brought into parliament, to restrain them from sending out a very expensive commission of supervision to India, which at this time they meditated. The minister, and his friends, combated strenuously in defence of the expediency of this bill, declaring, that as it was the sincere wish of parliament to render them a great and glorious company, it was not consistent with such a wish to permit them to engage in an expensive commission, at a time, too, when their affairs were in so much confusion as to oblige them to apply to government for a loan. It was further urged against such a commission, that it was doubtful whether the company had powers to appoint one of such a nature, without the permission of parliament; and at all events they could not give authority to their commissioners without an act of parliament. The opposition to this bill, however, was very great. It had about this time become customary to apply the epithet *unconstitutional* to every measure proposed by administration, and it was by no means omitted on this occasion. Those who opposed the bill contended that the want of cash was not of the first importance, since the credit of the company was at that hour established as firmly as ever. They had made choice of a set of men, in whom they could confide. The many losses they had met with from the conduct of their servants, rendered the commission indispensably necessary; and as for the expense, it was to be paid from the savings, which

which would undoubtedly accrue from a step so prudent. If the East India company, or any other company, be distressed, they ought to be allowed means and opportunities in order to extricate themselves. The company, it was said, showed a proper respect for parliament, by delaying the departure of this commission till the inquiry, instituted by the house, could be finished; neither must they be wanting in respect for their own interest, their charter and constitution; and they seemed to evince that concern by every possible mark of opposition to this bill. Though administration boasted of their intention, and their wishes to make the company great and glorious, the people could not expect greatness or glory to proceed from a quarter in which it did not exist. Ministers had lessened the dignity of parliament, effaced its glory, and turned its greatness into the abuse of power, by their conduct in adopting measures subversive of the laws of the land, and their late exercise of wanton authority. It was also contended, that, if this bill should pass, charters could not be depended upon. As the last effort of prevention, two gentlemen belonging to the company, and then present in the house, pledged themselves, that the commission of supervision should not be allowed to depart, until, from further reports, a most perfect knowledge of the company's affairs should be acquired. This proposal was immediately rejected; it was said to be defective in security, as the company could in one day make an agreement of this kind, and the next break through it; which could only be prevented by an act of parliament; especially as the ministry had no motives for promoting this measure, but a regard for the welfare of the company, and a desire to restore its affairs to a better state. Every endeavour, however, was exerted in order to prevent this motion from being carried; a petition was presented from the company; some of its servants were examined in the house of commons, who might confirm the necessity of sending over supervisors, qualified to reduce their affairs to some regularity, by being on the spot, and curbing the licentious abuse of power, of which their servants in India had been guilty. On this examination some curious facts appeared; the principal

principal of which were, that from the year 1765 to 1773, the company's expenses had increased from 700,000*l.* to 1,700,000*l.* per annum; and that government had received near two millions annually from the company, and in extraordinaries had immense profits, while the proprietors lost considerably of the dividend, which the profits of their trade only would have afforded. On the first reading of this bill, the motion was carried by 114 against 43. When it came to be read for the last time, the debates were conducted with great warmth. Counsel was heard on the side of the company; it was proved that the company had a legal right to appoint its servants, and manage its internal affairs, and that the misconduct of its servants rendered the speedy exercise of this power particularly necessary. The supporters of the bill urged that these arguments of the counsel were express on their side of the question. They contended that the confusion in India could be remedied by the legislature only; that the powers of a supervision from the company were entirely inadequate to the attempt, which was especially liable to failure from this circumstance, that the governors and council in India, the very suspected persons, were joined in commission with the supervisors, and made judges of their own offences. Though the charters of the company were made by parliament, and frequently ratified, yet the eventual necessities which occur in the progress of time are such, as may justify any modification like the present, especially when it has for its object the welfare of the greatest commercial company in the world. Their charters extend to trading in the countries of India, but a supreme power of legislation ought always to rest with government.

The opposers of the bill answered this train of reasoning with great force and energy. The company, said they, have well provided against the evils, which are supposed to be probable from some part of the supervision falling into the hands of the suspected persons, by a resolution, that no act of the supervision shall be valid without the presence of three of the commissioners; and by investing the supervisors to be sent to India, with a power of control

control over the governor and councils. They allowed that the parliament was a supreme legislative power, but that power ought not to be stretched to an unwarrantable length, especially when no necessity could be urged in its defence. If the pernicious measure in question, said they, be carried into execution, it destroys security on the faith of the nation, because the rights of the East India company were sold by parliament, not granted; and, therefore, this bill affects the other large trading companies in a very material degree. It was further urged, that the plan to be pursued by this supervision, received the sanction of parliament, and no objection would have been offered to it, if the company had not determined to place their confidence in other men, than those appointed by the ministry.

Notwithstanding all opposition, the bill for restraining the company from the commission of supervision, was carried by one hundred and fifty-three, against twenty-eight.

This bill was next day presented to the house of lords, and it being so near the Christmas recess, was carried through with the utmost despatch. It did not, however, pass without opposition, though, as in the other house, the opponents were few. The bill passed through this house with such rapidity, that the India company had not time to go through the necessary forms, for assembling in its corporate capacity, and framing and presenting a petition, before it was finally passed. A petition signed by fourteen proprietors, was, however, received, witnesses examined, and counsel heard at the bar against the bill. It is easy to suppose that the arguments of those ministerial lords who supported the measure, were very like those used by the same side in the house of commons. Those who were in the minority entered a protest against the bill, in which we find an excellent summary of the arguments used on that occasion in opposition to it. "This bill," says the protest, "takes away from a great body corporate, and from several free subjects of this realm, the exercise of a legal franchise, without any legal cause of forfeiture assigned. The persons appointing the commissioners had by law a right to elect,

elect, and the persons chosen had by law a capacity of being elected. The choice was regularly made, according to the constitution of the company. It was confirmed on ballot. The supervisors had a full right vested in them, agreeable to the powers and conditions of their appointment. No abuse has been suggested, no delinquency has been charged. These legal rights and capacities are therefore taken away by a mere arbitrary act of power; the precedent of which leaves no sort of security to the subject for his liberties; since his exercising them, in the strictest conformity to all the rules of law, as well as to those of general equity, and moral conduct, is not sufficient to prevent parliament from interposing its sovereign powers, to divest him of those rights, by means of which insecurity, the honourable distinction between the British and other forms of government, is in a great measure lost; a misfortune which we are sorry to find greatly growing upon us, by those temporary, occasional, and partial acts of parliament, which, without consideration of their conformity to the general principles of our laws and constitution, are adopted rashly and hastily on every petty occasion." In this energetic strain, six lords continued their objections to the bill to a considerable length, and with great force of argument.

As the affairs of the East India company engaged the attention of the British parliament during the greatest part of this session, for the sake of uniformity, the other business discussed in it, will be related immediately after a connected detail of those affairs.

Early in the year 1773, a petition was presented from the East India company, setting forth, that finding themselves under a necessity of applying to parliament for relief, they hoped they should be esteemed worthy of receiving it, in the manner, and upon the terms, specified in several propositions, which were included therein. The principal of these, were a requisition for a loan of 1,500,000*l.* for four years, at four per cent. interest, with liberty of repaying the same, as soon as the company was able, in payments of not less than 300,000*l.* and that the company should not make a dividend of more than six per cent.

cent. until the loan should be reduced to 750,000l.; that then they might raise their dividend to eight per cent. and after the whole loan was discharged, that the surplus of the nett profits arising in England, above the said dividend, should be appropriated to the payment of the company's bond debt, until it was reduced to 1,500,000l. and from thence, that the surplus profits should be equally divided between the public and the company. It was also requested, that the company should be released from the heavy penal interest incurred by the non-payment of money, owing in consequence of the late acts for the indemnity on teas, and discharged from the annual payment of the 400,000l. to the public for the remainder of the five years specified in the agreement.

It was farther proposed on the side of the company, that the accounts of the Duannee revenues, of the charges of collection, of the civil and military expenses of Bengal, together with the amount of the company's sales, charges, debts owing, bills drawn upon them, and goods in their warehouses, should be delivered annually to parliament; and it was desired, that leave might be given to export teas free of all duty, to America, and to foreign parts.

Some reports from the secret committee had also been received at this time; and as designs upon the company's territorial possessions were apprehended to be in contemplation, a gentleman, who had been chancellor of the exchequer in a former administration, moved, that several papers, which had passed between the English and French ministers, previous to the late peace, relative to the affairs of the India companies of both nations, should be laid before the house. These papers tended to show, that so far as the sentiments of the crown at the time of the peace, could be collected from those of its ministers, it was understood that the East India company had an exclusive and undoubted right to those territories it possessed, whether acquired by conquest or otherwise. In one of them was read the following remarkable passage: "Respecting those territorial acquisitions the English East India company have made in Asia, every dispute relative thereto

thereto must be settled by that company itself, the crown of England having no right to interfere in what is allowed to be the legal and exclusive property of a body corporate belonging to the English nation."

After the East India petition had been read, on the 9th of March, the first lord of the treasury, in introducing the subject of the loan, observed, that the granting of relief to the company was a matter of necessary policy and expediency, but in no degree a claim of right or of justice, as had been represented; and having taken notice of the various methods that had been suggested for that purpose, proposed the following resolutions, which were agreed to, *viz.* That it is the opinion of this house, that the affairs of the East India company are in such a state as to require parliamentary assistance: That a loan of a sum of money is necessary to reinstate the company's affairs: That a supply of 1,400,000*l.* be granted to the company. Provided, at the same time, due care shall be taken, that the necessary regulations be adopted, to prevent the company's experiencing the like exigencies in future.

The minister upon this occasion, though he waved, for the present, any particular discussion of the point, not only called in question the company's claim of exclusive right to its territorial possessions, but insisted upon a prior right in the state; whence he inferred the justice and legality of its interposing its authority in all cases in that company's affairs. He observed, that this doctrine was not peculiar to himself; and that several persons of great knowledge in the laws had declared it as their opinion, "that such territorial possessions as the subjects of any state shall acquire by conquest, are virtually the property of the state, and not of those individuals who acquire them."

Though this was a matter rather of conversation than debate, such an avowal from that quarter was thought too dangerous to be passed over without animadversion. It was said, that the relation which those opinions could have to the company, depended solely upon the manner of stating the question; that in certain circumstances they

were very just, and were not to be contested, when territorial possessions were acquired under the authority of the state; but that when the state (as in the present instance) had, in the most solemn and authentic manner, delegated that authority to a distinct and separate body, it can never, without a breach of the conditions on which it was granted, be resumed, without the most manifest injustice and flagrant violation of public faith; that such doctrines were subversive of all true commercial principles; and were equally inconsistent with the high rights of the royal prerogative, the faith and honour of parliament, and that right of confirmed property, which every man, and every body of men, have, or ought to have, in their legal acquisitions. It was further observed, that the company's possessions in India were not in strictness conquests; that they were farms held from the prince, who was their proprietor and rightful owner; but that a question of property of that nature, was to be decided in a court of justice, and was not a proper subject of discussion there, where the public, who were themselves interested parties, would thereby become the judges in their own cause.

In some time after, on the 23d of March, the two following resolutions were proposed by the minister, and passed without a division: "That supposing the public should advance the loan to the East India company, it is the opinion of this committee, that the company's dividend should be restrained to six per cent. until the repayment of the sum advanced." And, "that the company be allowed to divide no more than seven per cent. until their bond debt be reduced to 1,500,000l."

In the first stating of these propositions, the following words were added to the second; but were afterwards struck out, *viz.* "and no more than eight per cent. before the participation of profits between the public and the company should take place."

As these restrictions were contrary to the terms proposed by the company in its petition to the house, they were productive of considerable debates. They were supported, on the undoubted right which every creditor had, previous to his parting with his money, to exact such conditions

ditions and stipulations from the borrower, as he thought necessary for his own security; and it was insisted, upon the foundation of the reports made by the secret committee, of the state of the company's affairs, that it could not with justice to the public, and a due attention to the welfare of the proprietary, afford to make a greater increase of dividend. It was hinted, that the company had been guilty of an act of delinquency, by exceeding its legal powers in the amount of its bond debt; and it was intimated, that it probably would hereafter be thought necessary to agitate the question of *right*, as to the territorial possessions, in parliament. As a salvo, however, to the apprehensions excited by these dangers, it was also thrown out, that when the proposed reduction of the bond debt had taken place, and the loan was repayed to the public, the treasury might then, perhaps, contribute a moiety of its share of the participation, entirely to re-establish the affairs of the company.

On the other hand, the representations of the company's affairs, that had been made by the secret committee, were declared to be extremely erroneous; the injury that so numerous a body of people as the present stockholders would receive in their property, by the proposed restrictions, was strongly pointed out; and the chairman of the India company was called upon in his place to answer, whether he had not declared at a general court, that the proposed increase of dividend, before the participation of profits took place between government and the company, would have been agreed to? The chairman acknowledged that he had made such a declaration, and thought himself authorised so to do, from several conversations which had passed between the first lord of the treasury and him upon the subject; several parts of which he then repeated. The noble lord declared, that he had given no such promise or hopes to the gentleman, at any interview, in which he considered him as acting in his official capacity of chairman to the company; and that he had repeatedly cautioned him, that whatever passed in private conversation was to be buried in oblivion, and never to be quoted as authorising him to any measure whatsoever.

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These restrictions, however, upon the conversations of public persons on public business, seem to defeat the end of those conversations. A corporate body can have no information otherwise authenticated; since messages in writing are not usually delivered. Such misapprehensions or misrepresentations on one hand, or retractions of promise on the other, had been frequent in the India transactions from the beginning, and had produced many mischiefs.

It was insisted, that the company had not exceeded its legal powers in regard to the bond debt, though terrific threats upon that subject had frequently been held out; and it was declared, that they were ready to meet government upon that ground, whenever it thought proper. To conclude, it was requested, that a matter which affected the property of so great a number of people, as the proposed restrictions did, should not be hastily entered into; and that a few days at least might be allowed, to consider coolly of its consequences; that it should be remembered, that the proprietary had agreed to treat with administration upon a supposition that a dividend of eight per cent. would meet with its support, and that to refuse it now, was to lend the aid of government to deceive a set of men, who had already suffered extremely, by being too greatly and too frequently imposed upon.

To this proposal it was replied, that nothing could be more unjust, or even monstrous, than the idea of raising a dividend, till the company's debts were discharged; that the postponing the resolutions, even for a few days, could answer no useful purpose; the restriction of the company's dividend to six per cent. was either a proper or an improper measure; if it was an improper measure, the sooner it was discussed and laid aside, the better; if, on the contrary, it was a proper measure, why postpone it?

This inflexibility of the ministers brought on much censure from the other side. It was insisted that the East India company were not before the house: That the act of the company was contained in the whole of the proposals that were laid before them; that the house was to treat with the company in its corporate capacity, and to accept

accept or reject the whole of its acts ; that to accept of part of the company's proposals, reject the rest, and engraft new proposals of its own upon those offered by the company, was to drop the idea of a treaty between parliament and a corporate body, and to destroy the chartered rights of the company.

It was asserted, that all the late treaties between government and the company, and particularly the present, were in the highest degree iniquitous on the side of the former ; that the artifice, duplicity, and treachery, used in conducting them, were as shameful, as the terms were unfair, and the ultimate designs wicked ; and that if ever the company were before the house, they had either been compelled there by violence, circumvented by fraud, or impelled by menaces.

In some time after, on the 5th of April, the following resolutions were moved, and carried by the minister, *viz.* " That it is the opinion of this house, it will be more beneficial to the public, and the East India company, to let the territorial acquisitions remain in the possession of the company for a limited time, not exceeding the term of six years, to commence from the agreement between the public and the company."—" That no participation of profits shall take place between the public and the company, until after the repayment of the 1,400,000*l.* advanced to the company, and the reduction of the company's bond debt to 1,500,000*l.*"—" That after the payment of the loan advanced to the company, and the reduction of their bond debt to the sum specified, three fourths of the net surplus profits of the company at home, above the sum of eight per cent. upon their capital stock, shall be paid into the exchequer, for the use of the public, and the remaining one fourth shall be set apart, either for further reducing the company's bond debt, or for composing a fund for the discharge of any contingent exigencies the company may labour under."

The right of the state to the territorial possessions was now insisted upon ; but from motives of policy, expediency, and mutual advantage, it was thought better to wave that right for the present, and to suffer the company

pany to enjoy them for some time longer; the limitation for six years was accounted for by the expiration of the company's charter, which would take place in the year 1780.

The measure of assuming and establishing a right, without any legal decision, or juridical discussion, or so much as hearing the party on the matter of his right, was, without question, a very extraordinary proceeding. The other side exclaimed against it, but in vain. It was to as little purpose to declare, that the whole conduct with respect to the company, was equally contradictory to every principle of general law, of equity, and of the policy of nations, as it was impolitic, unwise, and entirely repugnant to the letter as well as spirit of the laws, to the liberties, and to the constitution of this country. For what purpose, said they, do you assert this right, when, in the very same breath, you admit that it is not proper to exercise it? Nobody was then contesting it. It was no part of any question then before the house. If there was not some sinister design, why not reserve the question of right to its proper time, and then give it a proper discussion?

To this nothing was directly answered. But government took great pains to display its kindness to the company. It was said, that notwithstanding the great losses suffered by their misconduct, which rendered them incapable of paying the annual stipulation to the public, they now generously supplied them with a loan of nearly four times that sum to preserve them from ruin, and would still, from a tender consideration of the company's affairs, sustain an additional loss in their favour; it was therefore proposed, and agreed to, that as the company had a stock of teas amounting to above 17,000,000 of pounds by them, and it would be greatly to their advantage to convert as much of it as they could into money, they should therefore be allowed to export any quantities of it they pleased, duty-free.

The resolutions having been reported in the house on the 30th of April, and agreed to, a petition was presented from the East India company, in which they were complained

plained of in the strongest terms, as unjust and injurious. They asserted that the most material articles of their propositions were rejected; and represented, that when the loan which they had requested from the public was discharged, it must be unreasonable to require any further terms *upon that account*; that the limitation of the dividend to 7 per cent. after the discharge of the loan, and until the reduction of the bond debt, was neither founded on any just calculation of their affairs, nor necessary, either with respect to their credit, or that of the public, and that the small addition of one per cent. though of considerable consequence to them, was too trifling in the amount, to cause any material delay in the reduction of that debt; that the hardship of this limitation was exceedingly aggravated, by a consideration of the great losses which they, as proprietors, had sustained, and the expenses they had incurred, in acquiring and securing the territorial revenues in India, at the risque of their whole capital, from which the public had reaped such vast advantages, without any equivalent to themselves; and that they had only offered the proposals, which were now made the ground of these restrictive resolutions, upon the faith of those assurances which they had received, that the chancellor of the exchequer coincided with them in his intentions.

They farther represented, that the limitation for six years to their territorial possessions, was altogether arbitrary, as it might be construed into a conclusive decision against them, in regard to those possessions to which they had an undoubted right; a right against which no decision existed, nor any formal claim had ever been made. They refused to acquiesce in the proposed allotment of their surplus profits; and insisted that such a disposal of their property without their own consent, was not warrantable by any pretensions that had been formed against them; that when they offered a participation in a different proportion of the said surplus, it was in a full persuasion that they might freely enjoy the remainder; that the prescribed limitation, with respect to the application of the one fourth allotted to them in this participation, after

after the payment of their simple contract debts, and the reducing of their bond debt, to the point affixed by the house, was so subversive of all their rights and privileges, by denying them the disposal of their own property, though all their creditors shall be fully secured according to law, that rather than submit to such conditions, as proceeding from any consent expressed or implied by themselves, they declared their desire, that any claims against them, that could be supposed to give rise to such restrictions, might receive a legal decision, from which, whatever might be the event, they would at least have the satisfaction of knowing what they might call their own.

The house had now, for about two months, been almost continually occupied by the affairs of the East India company, when at length, on the 3d of May, resolutions to the following effect were moved for by the minister, and made the foundation of a bill, "for establishing certain regulations for the better management of the affairs of the East India company, as well in India as in Europe." 1st. That the court of directors should, in future, be elected for four years; six members annually; but none to hold their seats longer than four years. 2d. That no person should vote at the election of the directors who had not possessed their stock twelve months. 3d. That the stock of qualification should, instead of 500l. be 1000l. 4th. That the mayor's court of Calcutta should for the future be confined to small mercantile causes, to which only its jurisdiction extended before the territorial acquisition. 5th. That in lieu of this court, thus taken away, a new one should be established, consisting of a chief justice and three puisne judges. 6th. That these judges be appointed by the crown. 7th. That a superiority be given to the presidency of Bengal, over the other presidencies in India.

Some of these propositions were supported upon the following principles: That in the present state of the company, the gentlemen in the direction were so disconcerted by the shortness of their turn, and their time so much taken up by caballing for their re-election, that they had neither leisure to form, nor time to execute, any

permanent system of general advantage : That the term of six months was too short for a qualification to vote, as it did not preclude temporary purchases of stock, merely for that purpose ; and that the present qualification of 500*l.* capital stock, was not a sufficient interest in the company, to entitle the holder to a vote : That the contraction of powers in the mayor's court at Calcutta, was only reducing its jurisdiction within that narrow circle, to which it had been originally confined : That it was a court composed of merchants and traders, and therefore evidently improper and incompetent to the trial of those many great, momentous, and complicated matters, which must now come before it ; that for these reasons, the erection of a new judicature was absolutely necessary ; and that the judges ought evidently to be appointed by the crown, not only as a matter of propriety, but to give a due weight and consequence to their decisions : That the granting a superiority to one presidency over the rest, was also absolutely necessary, as their being furnished with equal and separate powers, in matters that related to war, peace, and alliance, had frequently been productive of great disorder, confusion, and contradiction ; and that the proposed superiority, only related to general affairs, and did not at all interfere with internal regulation.

It was also thrown out, that other regulations would be necessary, particularly that the company should immediately communicate their advices from Bengal to the treasury, or secretaries of state, and that the company's servants should, under heavy penalties, bring all their fortunes home in the company's ships. It was concluded, that though these regulations would operate greatly towards a reformation, it was not to be expected, that the whole could be done at once, and require no farther attention ; that, on the contrary, it was probable that Bengal would require their annual care ; and that as new information could be obtained, a fixed and constant attention in the controlling and legislative power, would at all times be necessary.

As this bill excited a very general alarm, not only with respect to the company, but those who considered it
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merely as dangerous in its tendency with regard to the constitution, it was vigorously combated in every part of its progress; every question, every clause, and every addition, was productive of a warm debate, and of a division.

Every question was, however, carried by a great majority. In the mean time, the East India company, the city of London, and those proprietors who possessed votes, by holding 500l. stock, but being under a thousand, were now to be deprived of their franchises, and who amounted to above 1200 in number, presented separate, and unusually strong petitions against the bill. Counsel were also heard in behalf of the company, and of the 500l. stockholders.

Upon the first division on the qualification clause, whether it should be fixed at 1000l. stock, the question was carried by 179 to 65. Upon the next question, which related to the establishment of a governor and council at Bengal, after long debates, and a variety of amendments being proposed and rejected, it was at length put, whether the right of nominating the governor and council, should be vested in the crown, or in the company, and was carried by 161 in favour of the former, to 60 who opposed. By this determination, the immediate appointment was vested in parliament, the officers being, however, removable at the will of the crown. The right of appointing judges was carried in favour of the crown by a still greater majority, the numbers being 193 to 18 only. The salaries of the judges were fixed, at 8000l. to the chief justice, and 6000l. a year to each of the other three. The appointments of the governor general and council were fixed, the first at 25,000l. and the four others at 10,000l. each annually.

Other questions were carried in the same manner as to numbers, though all were strenuously debated. Upon the presenting of the petition, and the hearing of counsel, in behalf of the 500l. stockholders, the following resolution was moved, "That it does not appear to this house, that the proprietors of 500l. capital stock, in the united company of merchants of England, trading to the

East Indies, have been guilty of any delinquency in the exercise of their chartered rights, according to the several acts of parliament made in that behalf." This motion caused long and warm debates, in which the rights of the petitioners were ably pleaded, and the alleged injustice of the enacting clause, and the violent injury to their property, strongly represented. Upon a division, the motion was rejected by 123 to 43.

At length, after more than a month's continual agitation in the house of commons, and finally concluded by long and eager debates in a late house, this bill, which had attracted the attention of all orders of people, was passed on the 10th of June, by a majority of more than six to one, the numbers being 131 to 21 only. It was opposed in its progress (besides those we have already mentioned) by a petition in behalf of those who were possessed of property in the East Indies, who represented, that every kind of transaction, either by remittance or otherwise, with foreign companies, or foreigners settled at Bengal, being prohibited by the bill, their property would be virtually confiscated; and strongly claimed the exercise of that right which every British subject enjoyed, of remitting his fortune from any part of the world, in the manner he conceived most advantageous to himself.

This bill did not meet with a much less warm reception in the house of lords, than the ordeal which it had already undergone in that of the commons; it was, however, supported and carried through, by a power equally efficacious. Upon the bringing it up, the noble duke, whom we have before observed to have conducted the opposition to the supervision bill, moved for a conference with the commons, upon the subject matter of the present bill. This motion was strongly opposed, as an unnecessary application, and leading to a tedious and troublesome delay, at that unseasonable time of the year; the motion was accordingly rejected upon a division, by a majority of 39 to 12 lords who supported it.

The same nobleman made a motion, that a message should be sent, for a communication of the reports of the
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the several committees that had been appointed to make inquiry into the affairs of the East-India company, together with a list of the witnesses that had been examined, and of all the papers that had been produced before the house of commons, with copies of their resolutions, and all the other evidences; facts, and matters, which they had proceeded upon, as a ground for passing the bill. This motion was opposed upon the same principle as the former, and upon a division rejected by nearly the same majority. This refusal of the means of information, was not passed without much debate and animadversion, and was the foundation of a particular protest, in which it is severely complained of, and their present conduct strongly contrasted with that practised upon former occasions, particularly in the year 1720, when the lords had a conference with the commons, which lasted the greater part of the month of July; but by this mode, it says, the commons have it in their power to preclude that house from the exercise of its deliberative capacity; they have nothing more to do, than to keep business of importance until the summer is advanced, and then the delay in one house is to be assigned as a sufficient ground for a precipitate acquiescence in the other. It was indeed generally thought not very decent for the house of lords to proceed without any regular parliamentary information whatever, upon matters which the house of commons had examined so much in detail.

Upon the second reading of the bill, a petition was received from the East India company, and counsel heard against it; after which, and many debates, the question was put upon the first enacting clause, with respect to the alteration in the directorship, when upon a division it was carried, to stand part of the bill, by 51 to 16; and the qualification clause was carried on a following division, by nearly the same number. On the third reading, June 19th, the bill was carried through by 47 to 15; but including the proxies, the majority was much greater, the numbers then being 74 to 17 only. It was however productive of a protest, signed by 13 lords.

Many of the arguments opposed to this bill, were ne-

cessarily upon the same ground with those which we have stated upon other occasions; the charges of violation of public faith, private property, and chartered rights, have already been so often recited in the affairs of the company, that a repetition of them, except where they vary in their circumstances from former cases, would be needless. The throwing of so immense a power and influence into the hands of the crown, was represented as totally subversive of the constitution, and made a cause of great and principal objection. The disfranchising of 1246 freemen of the company, without a charge or pretence of delinquency, was exclaimed against as an act of the most violent oppression, and crying injustice; it was observed that those proprietors of 500l. stock, were the only class of voters, known or qualified by the company's charter; and that the very grievance of splitting stock, by which they had hitherto been injured by the great proprietors, was now assigned as the cause for stripping them of their franchises, while the former were furnished with new powers for the legal multiplying of that evil.

The whole management of the affairs of the company in India, being vested in persons who were neither appointed nor removeable by them, thereby cutting them off from all means of control, from the redressing of grievances, and the applying of a remedy to evils, in their own affairs, was represented as the most glaring absurdity, and unaccountable solecism in politics, that ever had entered the mind of man; that this usurpation of right in the appointment of the company's servants, being loaded with the compulsory payment of large salaries, arbitrarily fixed, and chargeable on their revenues, without their consent, was an act of the most flagrant injustice, and a violent outrage on all the rights of property.

The appointment of executive officers in parliament was highly condemned, as unconstitutional, most pernicious in its example, productive of faction and intrigue, and calculated for extending a corrupt influence in the crown; as freeing ministers from all responsibility, whilst it leaves them all the effects of patronage; thereby de-

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feating the wise design of the constitution, which placed the nomination of all officers, either immediately or derivatively, in the crown, whilst it committed the check upon improper nominations to parliament, and by confounding those powers which it meant to keep separate, has destroyed this necessary control, along with every wise provision of the laws, to prevent abuses in the nomination to or exercise of office. Similar objections were made to other parts of this bill. The appointment of judges and a new court of justice, was not so much debated in either house, as other parts of the regulating bill, except upon fixing the nomination in the crown. In the preceding year, the company itself had formed a plan for courts of justice, little differing from that adopted by government.

Thus this memorable revolution was accomplished; and from that time, the company may be considered as wholly in the hands of the ministers of the crown.

During the long inquiries which had been continually carried on, by the select committee, lord Clive, with several other civil and military officers, who had been in high stations in India, were frequently interrogated, and underwent the strictest examination in that committee, relative to the foreign affairs, and conduct of the company abroad. These inquiries took in a period of many years, from the beginning of the war, which brought about the revolution in Bengal, in the year 1756, to the present time.

The severest strictures were passed in some of the reports of the committees, upon the conduct of many of the gentlemen concerned in those affairs, to which all the past misfortunes and present distresses of the company were principally attributed. At length, a direct inquiry being resolved on, a report was brought up by general Burgoyne, the chairman of the select committee, containing charges of the blackest dye, of rapacity, treachery, and cruelty, against those who were principally concerned in the deposal and death of Surajah Dowlah, the signing of a fictitious treaty with one of his agents, the establishment of Meer Jaffier, the terms obtained from him upon that occasion; and the
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other capital circumstances which led to, or attended, the celebrated revolution of the year 1756; comprehending lord Clive, and the other chief actors in those transactions.

The chairman, after regretting the particular situation, which put him under the disagreeable necessity of entering upon so irksome a subject, and expatiating largely and very ably upon the nature and extent of the enormities comprised in the charges, on the 10th of May proposed the following resolutions, which were agreed to, *viz.* That all acquisitions, made under the influence of a military force, or by treaty with foreign princes, do of right belong to the state. 2. That to appropriate acquisitions so made, to the private emolument of persons entrusted with any civil or military power of the state, is illegal. That very great sums of money, and other valuable property, have been acquired in Bengal, from princes, and others of that country, by persons entrusted with the military and civil powers of the state, by means of such powers; which sums of money and valuable property have been appropriated to the private use of such persons.

General Burgoyne, who moved the resolutions, declared that he would not stop there, that he would prosecute the subject with the utmost vigour, and that restitution to the public was the great object of his pursuit. Though these resolutions, in their tendency, might have endangered the fortunes of most of those who acquired them in India, and might have established a precedent, equally fatal to private security, and to the military service; yet so strong was the indignation excited by the enormities in India, and so pleasing the ideas of establishing our character of national justice by punishing delinquents, and above all of obtaining restitution to the public, that they were carried through with great rapidity; and it seems probable, that while the tide continued in its full strength, if others had been proposed, they would have been attended with equal success.

Upon cooler reflection, however, a closer view of the subject, and greater attention to its consequences, it was productive

productive of great debates, and occasioned some very late nights. The nobleman who was accused gave a general account of his conduct, the several parts of which he vindicated with great ability; and showed the critical necessity that prevailed in certain situations, where the English power and fortune in Asia depended solely upon rapid, well-timed, and extraordinary measures. Some people pitied his present deplorable situation, who, after the great and undeniable services he had rendered to the state and to the company, the public and honourable testimonials of them, which he had received from both, and the quiet possession which he had so long held of his great fortune, was to have that and his honour put to the hazard, by a strict and severe retrospect into transactions, which had happened so many years before, that they were now become a fitter subject for history than juridical inquiry.

On the other hand, those who pushed the prosecution, asserted, that for criminal matters there was no limitation of time: That the charge must proceed according to the offence: That the idea of a *set-off* of services against offences, was trivial and illegal: That their former resolutions against those who had embezzled the money of the state, and who had plundered princes in alliance, would be a gross mockery, if the guilty were suffered to escape: That lord Clive was the oldest, if not the principal delinquent, and had set an evil example to all the rest. To punish those that followed, and not those who set the example, would be gross injustice; and they foretold, that his escape would be an indemnity to the whole corps of delinquents.

These reasons were ineffectual. The principal ground of argument upon which this inquiry was defeated, was the incompetence of the reports from the select committee being admitted as evidence, whereon to found any judicial proceedings in parliament. This matter was accordingly much agitated; but the general sense seemed to be against the admitting of those reports as evidence. The witnesses were personal and principal actors in the affairs on which they were examined, and as the inquiry was only supposed to tend to the future regulation and government of the company's affairs, it could not be imagined,

gined, that they were under any guard with respect to their testimonies in the relation of transactions, which at this distance they could scarcely think, by any retrospect, to affect themselves.

A motion to the following purport, was at length put and carried: That lord Clive, about the time of deposing Surajah Dowlah, and the establishing of Meer Jaffier, did obtain and possess himself of several sums, under the denomination of private donations; which sums were of the value, in English money, of 234,000 l. The following words were originally part of the resolution; but after long debates were rejected, *viz.* "To the dishonour and detriment of the state."—On this point the grand struggle was made. Those who speculate, observed an extraordinary division of those who on all other occasions acted together. The minister declared in favour of the words of censure on lord Clive, and divided in the minority. The attorney-general was a principal in the attack. The solicitor-general, Mr. Wedderburne, managed his defence. The courtiers went different ways. The most considerable part of the opposition supported lord Clive, though he had joined administration, and supported them in their proceedings against the company.

A motion was then made and rejected, That lord Clive did, in so doing, abuse the power with which he was entrusted, to the evil example of the servants of the public. A motion was then made, at near four o'clock in the morning, That lord Clive did, at the same time, render great and meritorious services to this country; this resolution was carried, and put an end to the inquiry. The *mode* in which lord Clive obtained this acquittal is now pretty generally understood. The inquiry however made a deep impression on his mind, and in a few years he terminated his existence by an act of suicide.

Whilst the East India regulation bill was agitated in the house of lords, and that for establishing the loan in the house of commons, a petition was presented to the latter from the company, refusing to accept of the loan upon the conditions with which it was intended to be clogged, and requested to withdraw their former petition; lest it should be imagined that they were in any degree
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accessory to their own destruction, or thought answerable to posterity for the mischiefs which those conditions might bring upon the nation. This petition was treated by administration, rather as an act of insanity, than a matter that deserved any serious consideration; and it was determined to save the company from ruin in her own despatch, and to force the benevolence of the public upon her against her will.

A petition was presented this session from the half-pay captains of the navy, praying for a small addition to their subsistence; the minister, in opposition to it, contended, that the present state of the national finances could not allow any increase of expenses; and that if this was granted, other bodies of men would urge similar requests, perhaps as well founded. But the arguments in favour of the petition prevailed so far on the humanity of the house, and their attachment to the interest of the navy, and the distresses of the brave invalids was such, that the motion for redress passed by a majority of nine; and an address was presented to the throne for an addition of two shillings a-day to the captains' half-pay.

The treatment which the dissenters' bill met with in the last session in the house of lords, did not deter them from offering a similar one to the legislature this session. The fortune of this bill was exactly the same as that of the preceding year; it was carried through all the stages in the house of commons by a great majority, but was rejected by the house of lords. The only remarkable circumstance that distinguished the present application from the last was its being opposed by petitions from several congregations, who called themselves Protestant Dissenters, and who appear to have been principally composed of the people generally known under the denomination of Methodists. This petition however was received on the 25th of March, and the petitioners were heard by counsel at the bar of the house of commons against passing the bill.

A motion was also made for a committee of the whole house, to consider of the subscription to the thirty-nine articles of the church of England, or any other tests

tests now required of persons in the universities. The object of this application to parliament was similar to that of the petition from certain clergy and others, which was last year rejected by the house; though the mode was changed, the tendency was nearly the same, and the ground of argument not very different. The motion was, however, well supported, and produced a very considerable debate, but was at length rejected by a great majority.

On the 1st of July 1773, a period was put to this tedious session, during the former part of which there appeared to be a scarcity of public business, but near its conclusion matters of the greatest national and constitutional importance poured in. In the speech from the throne much satisfaction was expressed at the zeal and perseverance with which the two houses had applied to the business which had been recommended at the opening of the session; and it was fully hoped, that the laws, which were the result of their deliberations, would answer the salutary purposes for which they were intended. The continuance of the war between Russia and the Porte was regretted; a close friendship with both acknowledged, but no engagement to either.

The recess of parliament will be embraced as a proper period for the introduction of a short account of the present state of the surrounding nations.

In Poland a diet had been held, delegates appointed, and treaties of cession and dismemberment ratified; and yet it could hardly be said that any thing was really concluded. On one side the losers were obliged to submit to an inevitable present necessity, still hoping that some unexpected intervention of Providence would enable them to reclaim their rights; on the other, the demands of the armed claimants seemed to increase with their acquisitions, and the facility of obtaining them. Distracted and torn as this unhappy country was at this time, it did not present those shocking scenes of calamity which had long before made it a spectacle, as much of horror as of compassion. The vast armies with which it had been covered, having rendered all opposition impracticable, the pretences

pretences for cruelty were taken away; and the multitude of spectators, composed of different nations, and under different commands, being a mutual check upon the enormities of each other, the rage for blood dwindled into regular and systematic oppression.

The fortune of Russia was not predominant this year with respect to the war with the Turks. The latter became daily more habituated to arms, and might be said to have been beaten into order and discipline. The latter had been taught by experience the difficulties of a Bulgarian campaign; a service which can scarcely be carried on with a probability of success, without the assistance of such a fleet as can maintain a superiority on the Black Sea. The rebellion in the Crimea, and apprehensions of danger nearer home, prevented, however, some of those exertions that might otherwise have been made in the war upon the Danube. It has been thought doubtful whether it was wise policy in Russia to attempt increasing the bulk of that vast empire, by adding new conquests to those boundless and ill-cultivated regions which she already possessed, and which were perhaps at that time too large for the grasp of any single government. It was evident, from the nature and situation of the countries, and the consequences of former wars with the Turks, that conquests in Moldavia, Wallachia, or Bessarabia, and victories on the Pruth or Danube, were not likely to be attended with much benefit to Russia. It can hardly be said that the new acquisitions in Poland, or the influence gained in that country by the court of Petersburg, were equivalent to the loss, expense, and danger, of such a war.

Random schemes were propagated throughout Europe about this time, of totally conquering and subverting the Ottoman empire; they served to flatter the imagination of the people, and answered some purposes in negotiations for loans; but skilful politicians never regarded them in any other point of view. The eternal boundaries which nature has placed between those empires, their distance, situation, and vast extent, the extreme difference of climate, manners, customs, and religion of

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Random schemes were propagated throughout Europe about this time, of totally conquering and subverting the Ottoman empire; they served to flatter the imagination of the people, and answered some purposes in negotiations for loans; but skilful politicians never regarded them in any other point of view. The eternal boundaries which nature has placed between those empires, their distance, situation, and vast extent, the extreme difference of climate, manners, customs, and religion of

the inhabitants, were insuperable bars to their coalescing; and rendered it as impossible for Petersburg to rule the Ottoman empire, as it would be for Constantinople to govern the Russian. Whenever mankind have acquired general and just principles of polity and religion, and regard the former as a regular science, and the latter as inseparable from the mind of men, they will adopt and submit to be governed by those laws which are best calculated for the happiness of the general mass.

In this year a rebellion broke out in the borders of the kingdom of Casan. A Cossack whose name was Pugatscheff assumed the name and character of the late unfortunate emperor Peter the Third. He asserted that he made his escape through an extraordinary intervention of Providence, from the murderers who were destined for his destruction. He pretended the greatest sanctity, assumed the garb of a patriarch, and bestowed his benedictions on the people with the air of a new apostle. This matter was regarded in so serious a light in Petersburg, that on the 23d of December 1773, a manifesto was published against Pugatscheff and his adherents, in which the *reason* of the people was appealed to, for their guard against such delusions.

The death of the grand signior took place soon after the close of the year; but this event had but little effect upon public affairs.

The dearth which had so long afflicted different parts of Europe, was grievously felt this year in several countries. Germany, Bohemia, and Sweden, presented scenes of the greatest calamity, and multitudes perished in that miserable extremity of wanting the plainest and most common necessities of life.

The age and pacific disposition of the French king contributed greatly to the preservation of the public tranquillity of Europe. It was however apprehended, soon after the commencement of the present year, that the conduct of the Russians in the Mediterranean, co-operating with the affairs of Poland, the inefficacy of some negotiations which had been carried on between the Russians and Turks at Bucharest, and the close connexion between
France

France and Sweden, would have occasioned a change in those sentiments. This opinion was soon confirmed, by the extraordinary naval preparations which were made in the French and Spanish ports. These preparations excited the jealousy of the British court, and strong remonstrances were made upon this subject at Paris and Madrid, accompanied with a declaration, that if such measures were pursued, Great Britain would be under a necessity of sending such a fleet of observation into the Mediterranean, as should effectually frustrate any attempts that might be made upon the Russians. In the mean time a powerful fleet was equipped and ordered to rendezvous at Spithead, and those warlike preparations were for some time continued on all sides. At length this vigorous conduct, with the pacific temper of the French king and his ministers, were of sufficient weight to counteract the hostile disposition which seemed to prevail at Madrid, and happily prevented the prosecution of measures that must have involved all Europe in the wild horrors and wanton wickedness of war.

The year 1773 is remarkable in ecclesiastical history for the suppression of the Jesuits, the holy see having at length conceded to the repeated remonstrances of the house of Bourbon to that effect.

As more has been written and spoken within the two last centuries of this order, than of any within the same length of time, it would be now superfluous to attempt saying much upon that subject. Some of the ablest writers of those ages have, on both sides, fully discussed their conduct, morality, political principles, and religious opinions; so that nothing could be offered upon those heads, which has not already been better said. It may suffice upon the whole to observe, that this order has produced a great number of very eminent men, and has contributed more to the revival of learning, and to the advancement of knowledge in the church of Rome, than all the monastic orders put together; while, at the same time, their eagerness to intermeddle in political affairs, was supposed to render them dangerous to states, and their
 speculative

speculative and metaphysical opinions, to religion and morality.

The pope's bull for the suppression of this society*, is a writing of an enormous length, and loaded with precedents, to show the supreme authority exercised by former popes, in the reformation or total abolition of other religious orders; in which cases, the apostolic see at all times acted solely from the plenitude of its own power, without entering into any regular process, or proceeding in the usual legal forms, or admitting accusations to be exhibited, and a defence to be made; itself being the sole and competent judge, when those orders no longer answered the end of their institution, by the promotion of christianity and piety; this method being considered as better calculated to calm the agitation of men's minds, to prevent the bitterness arising from mutual recrimination, and to stifle the spirit of party and dissension.

The charges against the Jesuits are loose and voluminous, and seem in general, rather to comprehend a recapitulation of all the complaints that have been made against them from their first institution, without regard to the proofs that were brought in their support, or the decisions that were passed upon them, than of direct accusations. Thus are enumerated, early dissensions among themselves, and quarrels with other orders, as well as with the secular clergy, with the public schools, academies, and universities, together with disputes that arose upon the authority assumed or exercised by their general, and with the princes in whose countries they were received, with a long bead-roll of such general matters, without any particular observations on their nature, causes, or issue. An early appeal against them, not long after their institution, by Philip the Second of Spain, is with more propriety taken notice of; as are the appeals brought by several other sovereigns since that time: and their late expulsion from France, Spain, Portugal, and Sicily, is among the number of their accusations. From this continual state of hostility, and general dislike, in which they

* July 21, 1773.

subsisted with mankind, it is, however justly, inferred, that the general tenour of their conduct was reprehensible, and pernicious in its example and consequences to the christian world.

Some other matters are of more importance. It appears, that so early as the year 1606, their rage for intermeddling in public and political affairs, was already become so prevalent and notorious, and some consequences that attended it, bore so fatal an aspect to the order, that they were obliged to pass a decree among themselves, which, to give it greater efficacy, they had inserted in a brief by pope Paul the Fifth, to forbid their members from interfering under any pretence in public affairs for the future. This remedy, as well as all others, is said to have been ineffectual, and they are charged with an insatiable avidity for temporal possessions, with disturbing the peace of the church in Europe, Africa, and America; of giving scandal in their missions, as well by quarrelling with other missionaries, and by invading their rights, as by the practice of idolatrous ceremonies in certain places, in contempt of those approved by the church. Their doctrines are also attacked, and they are charged with giving uses and applications to certain maxims, which are proscribed as scandalous, and manifestly contrary to good morals; and of having adopted dangerous opinions, in matters of the greatest moment and importance, with respect to the preserving of the purity and integrity of the doctrines contained in the gospel; and which are said to have been productive of great evils and dangers to the church, as well as to some particular christian states.

These enormities, with many others, are said to have occasioned their proscription at different times by several states; as well as a severe visitation which was begun by Sixtus the Fifth; but which he did not live to accomplish; and were the cause that Innocent the Eleventh forbade them to receive any more novices, and that Innocent the Thirteenth threatened them with the same punishment; and that at length those princes, whose piety and liberality to the society seemed to have become hereditary in their

families, were under a necessity of expelling them from their dominions.

After summing up these, and various other causes for their dissolution, particularly the preservation of peace in the christian republic, and their incapability in the present circumstances of answering the purposes of their institution, together with other motives reserved in the breast of the sovereign pontiff, all ecclesiastics of whatever rank or dignity, and particularly those who had been members of the society, were forbidden, under sentence of excommunication, to impugn, combat, or even to write or speak about this suppression, to enter into its reasons or motives, or into any discussions concerning the institute of the company, its form of government, or other circumstances relating to it, without an express permission from the pontiff for that purpose.

In consequence of this bull, ten bishops went at night on the 16th of August, attended by a detachment of Corsican soldiers, to all the colleges and houses belonging to the Jesuits in Rome, of which they took possession, and having placed the necessary guards, the communities were assembled, and after the proper notices and forms were gone through, those fathers delivered up their keys, and the locks of their archives being sealed, and effects of all sorts being secured, even to provisions, they were allowed eight days to find new dwellings, and to quit the habit of the order. They at the same time gave up their schools, and resigned all the functions of their ministry, of whatever sort or nature. The bull extended to all countries whatever in which they were placed, and sentence of excommunication was denounced against those who should harbour or conceal any of their effects.

Such was the final fate of this celebrated society; which, with a very considerable stock of learning and abilities, had found means to render itself odious to all the nations and religions in the christian world. The riches which were found in their houses and colleges, whether in specie, plate, or jewels, were very inconsiderable, and greatly disappointed the hopes of those, who

who expected to have found inexhaustible treasures in the search. Whether they were able to evade the terrors of excommunication, and to elude the greater dangers arising from the prying and rapacious eyes of covetousness, by secreting their most valuable moveables, is still a matter to be determined; though, with respect to any thing considerable, the probability is otherwise.

CHAP. IX.

Dispute with America revived—Tea shipped for America by the India company—Landing of tea opposed by the colonists—Tea destroyed at Boston—Meeting of parliament—Proceedings relative to the gold coin—Grenville's act made perpetual—Message from the king relative to American affairs—Boston port bill—Act for altering the government of Massachusetts Bay—Act for trial of American rioters—Quebec bill—State of affairs in America—General Gage arrives at Boston—Solemn league and covenant—Provincial congress—General congress proposed—Meets—Its resolves—Subscriptions for the relief of the Bostonians—Dissolution of parliament—Foreign affairs—Death of Louis XVth—Popular acts of Louis XVIth—Death of Ganganelli—Peace between the Turks and Russians.

[A. D. 1774.]

THE dispute with the American colonies, which had originated in the famous stamp-act, imposed during Mr. Grenville's administration, was, in the winter of 1773, unhappily revived. The temporising politics of the Rockingham ministry, we have already seen, gave up the substantial part of Mr. Grenville's plan, and retained only the empty shadow of parliamentary authority. Neither that administration however, nor those which immediately followed, had any serious intention of enforcing the plan of American taxation; and it was reserved

served for lord North and his associates to crown their career of folly, by insisting on a tax, which would not have paid for the collection of it, and to renew a contest, which all sound politicians had uniformly deplored, and which they had flattered themselves had been for ever adjusted. Of the motives for the renewal of this dispute we have never been informed; but it probably originated, as most disastrous events have originated, in the selfish views of a few corrupt individuals.

We have seen, in a preceding chapter, that, to complete the inconsistency of his conduct, lord North himself had repealed all the duties which had been nominally enacted under the Rockingham administration, and had retained only the trifling and absurd tax upon the single article of tea. As the parliament thought fit to retain this tax, for an evidence of their right of taxation, so the Americans, to be consistent with themselves, in denying that right, discontinued the importation of that commodity. While there was no attempt to introduce tea into the colonies against the declared sense of the inhabitants, these opposing claims were in no danger of collision. In that case, the mother-country might have solaced herself with her ideal rights, and the colonies, with their favourite opinion of a total exemption from parliamentary taxes, without disturbing the public peace.

The expected revenue for tea failed in consequence of the American association to import none, on which a duty was charged. This, though partially violated in some of the colonies, was well observed in others, and particularly in Pennsylvania, where the duty was never paid on more than one chest of that commodity. This proceeded as much from the spirit of gain as of patriotism. The merchants found means of supplying their countrymen with tea, smuggled from countries to which the power of Britain did not extend. They doubtless conceived themselves to be supporting the rights of their country, by refusing to purchase tea from Britain; but they also reflected, that if they could bring the same commodity to market, free from duty, their profits would be proportionably greater.

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The love of gain was not peculiar to the American merchants. From the diminished exportation to the colonies, the warehouses of the British East India company had in them about seventeen millions of pounds of tea, for which a market could not readily be procured. The ministry and East India company, unwilling to lose, the one the expected revenue from the sale of tea in America, the other, their usual commerical profits, agreed on a measure by which they supposed both would be secured.

The East India company were by law authorized to export their tea, free of duties, to all places whatever. By this regulation, tea, though loaded with an exceptionable duty, would come cheaper to the colonies than before it had been made a source of revenue: For the duty taken off it, when exported from Great Britain, was greater than what was to be paid on its importation into the colonies. Confident of success in finding a market for their tea, thus reduced in its price, and also of collecting a duty on its importation and sale in the colonies, the East India company freighted several ships with teas for the different colonies, and appointed agents for the disposal of it. This measure united several interests in opposition to its execution. The patriotism of the Americans was corroborated by several auxiliary aids, now way connected with the cause of liberty.

The merchants in England were alarmed at the losses that must accrue to themselves from the exportations of the East India company, and from the sales going through the hands of consignees. Letters were written from that country to colonial patriots, urging that opposition to which they of themselves were prone.

The smugglers, who were both numerous and powerful, could not relish a scheme which by underselling them, and taking a profitable branch of business out of their hands, threatened a diminution of their gains. The colonists were too suspicious of the designs of Great Britain to be imposed upon.

The clamour of endangered liberty once more excited an alarm from New-Hampshire to Georgia. The first opposition to the execution of the scheme adopted by the
East

East India company began with the American merchants. They saw a profitable branch of their trade likely to be lost, and the benefits of it to be transferred to people in Great Britain. They felt for the wound that would be inflicted on the country's claim of exemption from parliamentary taxation, but they felt with equal sensibility for the losses they would sustain by the diversion of the streams of commerce into unusual channels. Though the opposition originated in the selfishness of the merchants, it did not end there. The great body of the people, from principles of the purest patriotism, were brought over to second their wishes: They considered the whole scheme as calculated to seduce them into an acquiescence with the views of parliament for raising an American revenue. Much pains were taken to enlighten the colonists on this subject, and to convince them of the imminent hazard to which their liberties were exposed.

The provincial patriots insisted largely on the persevering determination of the parent state to establish her claim of taxation, by compelling the sale of tea in the colonies against the solemn resolutions and declared sense of the inhabitants, and that at a time when the commercial intercourse of the countries was renewed, and their ancient harmony fast returning. The proposed venders of the tea were represented as revenue officers, employed in the collection of an unconstitutional tax imposed by Great Britain. The colonists reasoned with themselves, that as the duty and the price of the commodity were inseparably blended, if the tea was sold, every purchaser would pay a tax imposed by the British parliament, as part of the purchase-money. To obviate this evil, and to prevent the liberties of a great country from being sacrificed by inconsiderate purchasers, town meetings were held in the capitals of the different provinces, and combinations were formed to obstruct the sales of the tea sent by the East India company.

The resolutions entered into by the inhabitants of Philadelphia on October the 18th, 1773, afford a good specimen of the whole—These were as follows:

- “ 1. That the disposal of their own property is the inherent

inherent right of freemen; that there can be no property in that which another can, of right, take from us without our consent; that the claim of parliament to tax America is, in other words, a claim of right to levy contributions on us at pleasure.

" 2. That the duty imposed by parliament upon tea landed in America, is a tax on the Americans, or levying contributions on them without their consent.

" 3. That the express purpose for which the tax is levied on the Americans, namely, for the support of government, administration of justice, and defence of his majesty's dominions in America, has a direct tendency to render assemblies useless, and to introduce arbitrary government and slavery.

" 4. That a virtuous and steady opposition to this ministerial plan of governing America is absolutely necessary to preserve even the shadow of liberty, and is a duty which every freeman in America owes to his country, to himself, and to his posterity.

" 5. That the resolution lately entered into by the East India company to send out their tea to America, subject to the payment of duties on its being landed here, is an open attempt to enforce this ministerial plan, and a violent attack upon the liberties of America.

" 6. That it is the duty of every American to oppose this attempt.

" 7. That whoever shall, directly or indirectly, countenance this attempt, or in any wise aid or abet in unloading, receiving, or vending the tea sent, or to be sent out by the East India company, while it remains subject to the payment of a duty here, is an enemy to his country.

" 8. That a committee be immediately chosen to wait on those gentlemen who, it is reported, are appointed by the East India company to receive and sell the said tea, and request them, from a regard to their own character and the peace and good order of the city and province, immediately to resign their appointment."

As the time approached when the arrival of the tea ships might be soon expected, such measures were adopted as seemed most likely to prevent the landing of their cargoes.

goes. The tea consignees, appointed by the East India company, were, in several places, compelled to relinquish their appointments, and no others could be found hardy enough to act in their stead. The pilots in the river Delaware were warned not to conduct any of the tea ships into their harbour. In New-York popular vengeance was denounced against all who would contribute in any measure to forward the views of the East India company. The captains of the New-York and Philadelphia ships being apprized of the resolution of the people, and fearing the consequences of landing a commodity, charged with an odious duty, in violation of their declared public sentiments, concluded to return directly to Great Britain, without making an entry at the custom-house.

It was otherwise in Massachusetts. The tea ships designed for the supply of Boston were consigned to the sons, cousins, and particular friends of governor Hutchinson. When they were called upon to resign, they answered, "That it was out of their power." The collector refused to give a clearance, unless the vessels were discharged of dutiable articles, as by law directed. The governor refused to give a pass for the vessels unless properly qualified from the custom-house. The governor likewise requested admiral Montague to guard the passages out of the harbour, and gave orders to suffer no vessels, coasters excepted, to pass the fortress from the town without a pass signed by himself. From a combination of these circumstances, the return of the tea vessels from Boston was rendered impossible. The inhabitants then had no option but to prevent the landing of the tea, or to suffer it to be landed, and depend on the unanimity of the people not to purchase it; either to destroy the tea, or to suffer a deep-laid scheme against their sacred liberties to take effect. The first would have required incessant watching by night as well as by day, for a period of time, the duration of which no one could compute. The second would have been visionary to childishness, by suspending the liberties of a growing country, on the self-denial and discretion of every tea-drinker in the province.

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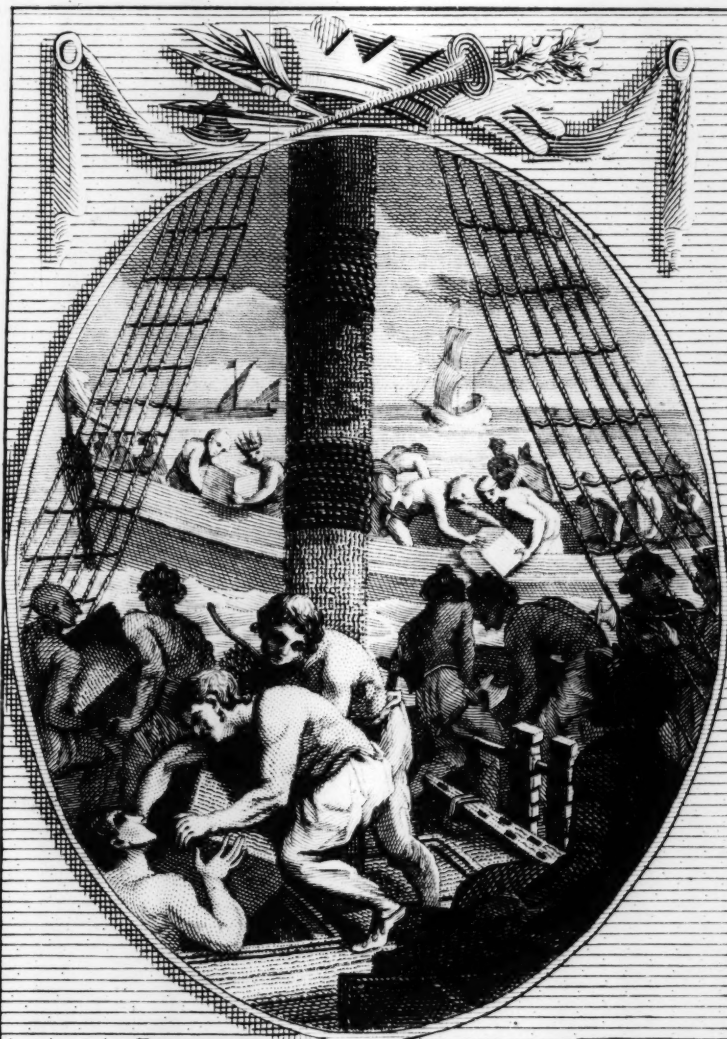
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BARLOW, VOL. II, p. 31.
The Bostonians throwing
the Tea into the water.

province. They viewed the tea as the vehicle of an unconstitutional tax, and as inseparably associated with it. To avoid the one, they resolved to destroy the other. About seventeen persons, dressed as Indians, repaired to the tea ships, broke open 342 chests of tea, and without doing any other damage, discharged their contents into the water.

Thus by the inflexibility of the governor, the issue of this business was different at Boston from what it was elsewhere. The whole cargoes of tea were returned from New-York and Philadelphia. That which was sent to Charlestown was landed and stored, but not offered for sale. Mr. Hutchinson had repeatedly urged government, at home, to be firm and persevering; he could not therefore, consistently with his honour, depart from a line of conduct he had so often and so strongly recommended to his superiors. He also believed that the inhabitants would not dare to perfect their engagements, and flattered himself that they would desist when the critical moment arrived.

Admitting the rectitude of the American claims of exemption from parliamentary taxation, the destruction of the tea by the Bostonians was warranted by the great law of self-preservation; for it was not possible for them, by any other means within the compass of probability, to discharge the duty they owed to their country.

The event of this business was very different from what had been expected in England. The colonists acted with so much union and system, that there was not a single chest of any of the cargoes sent out by the East India company on this occasion, sold for their benefit.

The British parliament assembled on the 13th of January 1774; but none of the proceedings in America, relative to the tea duty, were so much as glanced at in the speech from the throne. The same regret on account of the differences on the continent of Europe, and the same assurances of endeavours to promote general tranquillity, were repeated, as had been done last year. The principal object recommended to the attention of the house, was the

state of the gold coin. His majesty observed, that the degree of diminution which the coin had actually suffered, and the very rapid progress which the mischief was daily making, was truly alarming. Much satisfaction was expressed, that the evil had been in a great measure checked, by the regulations made in the last session; a selection of the most important parts of the public service was recommended for immediate deliberation. No particular supply was demanded, his majesty leaving it to the commons to grant such as might be found requisite.

Some unimportant and uninteresting debates ensued relative to the gold coin. The monied interest, which had long been but too predominant in Great Britain, complained loudly of the loss which had fallen on individuals from the diminished coin, in consequence of the act which had passed in the preceding session. The precipitancy with which the act had been hurried through the houses was also the ground of some objections. The minister defended himself, by asserting the necessity of preventing a fraudulent diminution, and observed, that a delay in the measure must have been attended with the most pernicious effects. He regretted the loss which private persons must have encountered; but remarked, that the monied interest were well able to bear it, having always been the greatest gainers by the public money.

Though no specific supplies had been called for by his majesty, and though ministers still kept a guarded silence on the subject of America, yet thinking persons imagined they observed something ominous in the continuance of an immense and expensive peace establishment. Twenty thousand seamen were voted without a division, though some members arraigned in strong terms the obvious inattention to public economy, and urged the retrenchment of expenses which seemed to be called for by no existing circumstances. The expedition against the Caribbs was again reprehended as an act of flagrant injustice and improvident profusion. To these charges the ministers returned evasive answers, and consoled themselves with the vast majority, by which at this crisis they carried every question.

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PARSONS'S GENUINE EDITION OF HUME'S ENGLAND.



LORD GRENVILLE.

A motion for rescinding the famous vote respecting the Middlesex election was, as usual, rejected, as well as another for shortening the duration of parliaments.

Among the abuses of a free government, there is none more pernicious than venality in elections, and none which in this country had been carried to a more flagrant excess. The act which was introduced by Mr. Grenville, for the trial of controverted elections, promised fair to lessen many of the evils of these contests, and at least to impede the progress of corruption. Every thing, however, had not yet been done for the security of this act; it was necessary that it should be rendered perpetual, and a motion for this purpose was brought in about the end of February. The minister strongly opposed it, maintaining, that as the bill had been only passed by way of experiment, its merit would be decided upon with more propriety at the ensuing general election, when perhaps many inconveniences might encumber it, unforeseen at present by its supporters; and that in the mean time it was obvious, that, according to the principles of this bill, the house was deprived of its dernier right of determination upon elections. His lordship was deserted in this cause by so many, who dreaded to show themselves upon the hustings if they should oppose the bill, that, when a division was called for, the members were 250 in support of the bill, to 122 who opposed it; the bill was afterwards carried with facility through both houses, and received the royal assent soon after.

It was the 7th of March before the minister condescended to call the attention of parliament to the affairs of America. On that day, by a message from his majesty, they were informed, "That in consequence of the unwarrantable practices carried on in North America, and particularly of the violent and outrageous proceedings at the town and port of Boston, with a view of obstructing the commerce of this kingdom, and upon grounds and pretences immediately subversive of its constitution, it was thought fit to lay the whole matter before the parliament; fully confiding as well in their zeal for the maintenance of his majesty's authority, as in their attachment to the common interest, and welfare of all

his dominions, that they will not only enable him effectually to take such measures as may be most likely to put an immediate stop to these disorders, but will also take into their most serious consideration, what further regulations and permanent provisions may be necessary to be established, for better securing the execution of the laws, and the just dependance of the colonies upon the crown and parliament of Great Britain."

His majesty's message was accompanied by upwards of a hundred papers relative to the transactions in America, and the most invidious reflections were indulged in by the ministerial party in both houses. The destruction of the tea at Boston was represented as an act of rebellion, and it was asserted that a similar spirit of faction and disobedience prevailed throughout the whole continent. That absurd jargon respecting national dignity, which has so frequently misled the people of this island, and betrayed them into the most fatal errors, was resounded from every quarter. Parliament was called on to vindicate the honour of the crown, and to inflict exemplary punishment on the factious city.

The minority, in reply, insisted that the present melancholy aspect of affairs was the result not of a spirit of sedition in the colonists; but of that series of unwise measures that had been pursued by administration. It was evident, they contended, that the colonies would never submit to parliamentary taxation. They had declared it to be illegal, and had long since intimated their determination to resist every attempt to enforce the principle. Notwithstanding these and other forcible arguments, it was moved and carried by the ministerial party---"To return thanks for the message, and the gracious communication of the American papers, with an assurance that they would not fail to exert every means in their power, of effectually providing for objects so important to the general welfare, as maintaining the due execution of the laws, and securing the just dependance of the colonies upon the crown and parliament of Great Britain."

As the general voice seemed to be for vigorous measures, Mr. Bollan, agent for the council of Massachusetts Bay, presented a petition, which was received, for permission to lay before the house an act of queen Elizabeth and her successors, for the security of the planters, and the enjoyment of their liberties. While this petition lay upon the table, lord North opened his plan for the restoration of peace and commerce in Massachusetts Bay. As Boston had been the town which began opposition to the authority of parliament, it was necessary, his lordship observed, that an exemplary punishment should be inflicted on it in the first place; that the interest of commerce required it, and that it was a practice usual in similar cases; he proposed therefore, "that the town of Boston should be obliged to pay for the tea which had been destroyed in their port; and that security should be given, that trade may be safely carried on, property protected, laws obeyed, and duties regularly paid." The first part of this proposal was supported by many precedents, where communities had been fined for outrages done by persons unknown; as for the second part, it could only be effected by depriving Boston of its privileges as a port, until his majesty should be satisfied with the restoration of peace and good behaviour in the town. It was necessary to show the Americans in general, that we were in earnest. The people of Boston had drawn down the displeasure of the crown upon themselves; the extent of the punishment rested with themselves, for after the payment of the debt now due to the East India company, there was no doubt, but that his majesty would exercise his usual lenity, and receive favourably their first endeavours to regain his goodwill. His lordship concluded his speech with warm recommendations of unanimity, and the suppression of domestic animosities; and at length moved for a bill, "For the immediate removal of the officers, concerned in the collection of the customs, from the town of Boston, in the province of Massachusetts Bay, in North America, and to discontinue the landing and discharging, lading and shipping of goods, wares, and merchandize at the said town of Boston, or within the harbour thereof." Some wished,

wished, that the measure proposed in this bill should be carried into execution, only in case of the non-payment of the fine to indemnify the East India company, but this was not attended to; the members of opposition could not, on the first hearing, collect any strength which was able to cope with the ministry, or any arguments, that were not overlooked in the general eagerness to inflict punishment on these disturbers of public tranquillity. A very singular circumstance that happened previous to the third reading of the bill, however, determined the opposition to be more active in investigating the merits of this measure. Mr. Bollan, whose former petition had been received, now presented another, desiring to be heard for the council of Massachusetts Bay, and in behalf of the town of Boston; this the house refused, alleging, that the agent for the council was not agent for the corporation, and that, as the council was fluctuating, the body which had appointed him could not be then existing. But as Mr. Bollan's former petition had been admitted, it appeared very inconsistent to many of the members, that he should now be refused, as he stood in the same character which he held then, and as at this very moment the house of lords had his petition on their table. A petition followed from the lord mayor, in the name of the natives and inhabitants of North America then in London, in which it was complained, "that the house is now about to pass a bill, to punish with unexampled rigour the town of Boston, for a trespass, committed by some persons unknown, on the property of the East India company, without the said town's being apprized of an accusation brought against them, or having been permitted to hear the evidence, or make their defence. They conceived such proceedings to be directly repugnant to every principle of law and justice; and that, under such a precedent, no man, or body of men, in America, could enjoy a moment's security; for if judgment be immediately to follow an accusation against the people of America, supported even by persons notoriously at enmity with them; the accused, unacquainted with the charge, and, from the nature of their situation, utterly incapable of answering

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and defending themselves; every fence against false accusation will be pulled down, justice will no longer be their shield, nor innocence an exemption from punishment." They farther said, that "the law in America is administered, in cases of injury, with as much impartiality as in any part of his majesty's dominions, and that, while this continues to be the case, the interposition of parliament is dangerous and unprecedented. If the persons who committed the trespass are known, the East India company have their remedy at law; if not, they cannot comprehend by what rule of justice the town can be punished for a civil injury committed by persons not known to belong to them. The cases brought as precedents are directly against it. In king Charles II.'s time, the city of London was fined when Dr. Lamb was killed by unknown persons, and the city of Edinburgh was fined, and otherwise punished for the affair of captain Porteus; but in the first instance a murder was committed within the walls of London in the open day; and even then, the trial was public in a court of common law, the party heard, and the law laid down by the judges was, that it was an offence at the common law to suffer such a crime to be committed in a walled town *tempore diurno*, and none of the offenders to be known or indicted. In the latter instance, that of Edinburgh, there was the commission of an atrocious murder within the gates, and aggravated by an overt act of high treason, in executing, against the express will of the crown, the king's law. Both these cities had, by charter, the whole executive power within themselves; so that a failure of justice necessarily ensued from the connivance. Not so with Boston. It is not a walled town, the fact was not committed within it, nor is the executive power in their hands. The governor, if that power has been neglected, is answerable, as he is the only person who holds it. If it has been executed, perhaps at this instant, while punishment is inflicting here on those who have not been legally tried, the due course of law is operating there, to the discovery and prosecution of the real offenders." The petitioners ended with giving as their opinion, "that the attachment of America could not survive

survive the justice of Britain." But the ministry, led by a blind and culpable impetuosity, resisted these proposals for delay. The arguments of opposition were now more powerfully directed against the bill for depriving the town of the use of its port. They contended that the terms of the bill were indefinite, and as they now were expressed, his majesty had it in his power, if he pleased, that is, if his ministers pleased, for ever to shut up the port of Boston. By this means, a precedent is furnished for subjecting other communities to the discretion of the crown. By this means, a punishment is fixed, and none can tell where it may end, without the sanction of law, and without a hearing in justification of sentence. In the precedents brought, a fine had been imposed, but here there is not only a fine, but a prohibition of trade till it is paid, and the city is not to recover its trade till the king shall be convinced, that the laws of trade and *revenue* are obeyed; but this revenue, and these taxes, have been so much the cause of dissension with America, that if this bill be passed, the whole continent will again be in a flame, and that, in all probability, too violent for any attempts which we may afterwards make to quench it.

It is remarkable, that, notwithstanding the violence of the debate which prevailed as well in the house of commons, as in the house of lords, this bill passed without a division in both. Not satisfied with this triumph over argument and sound policy, the infatuated ministry determined to push at once to the utmost extremity of absurdity; and though they had as yet no force in America to ensure success to their measures, a bill was introduced into parliament, entitled, "An act for the better regulating the government of Massachusetts." The object of this was to alter the charter of the province in the following particulars: The council, or second branch of the legislature, heretofore elected by the general court, was to be, from the first of August 1774, appointed by the crown. The royal governor was also by the same act invested with the power of appointing and removing all judges of the inferior courts of common pleas---commissioners of oyer and terminer --the attorney general---provost marshal---justice---

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This act excited a greater alarm than the port act. The one affected only the metropolis, the other the whole province. The one had the appearance of being merited, as it was well known that an act of violence had been committed by its inhabitants, under the sanction of a town meeting; but the other had no stronger justifying reason than that the proposed alterations were, in the opinion of the parliament, become absolutely necessary, in order to the preservation of the peace and good order of the said province.

When the human mind is agitated with passion, it rarely discerns its own interest, and but faintly foresees consequences. Had the parliament stopped short with the Boston port act, the motives to union and to make a common cause with that metropolis, would have been feeble, perhaps ineffectual, to have roused the other provinces; but the arbitrary mutilation of the important privileges contained in a solemn charter, without a trial, without a hearing, by the will of parliament, convinced the most moderate that the cause of Massachusetts was the cause of all the provinces.

In support of this bill the ministry urged strongly the necessity that there was for preventing the rest of the colonies from being tainted with the seditious example of the inhabitants of Massachusetts Bay. Nothing could be

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In support of this bill the ministry urged strongly the necessity that there was for preventing the rest of the colonies from being tainted with the seditious example of the inhabitants of Massachusetts Bay. Nothing could be

so effectual to this end, as a total alteration in the form of government, or rather no government, which subsisted in that province, where juries were improperly chosen, and where the civil magistrate had no dignity, and the executive power no strength. The sense of the minority will best appear from the following protest from the house of lords, which contains the most material arguments that could be offered against this bill :

“ This bill, forming a principal part in a system of punishment and regulation, has been carried through the house without a due regard to those indispensable rules of public proceeding, without the observance of which no regulation can be prudently made, and no punishment justly inflicted. Before it can be pretended, that those rights of the colony of Massachusetts's Bay, in the election of counsellors, magistrates, and judges, and in the return of jurors, which they derive from their charter, could with propriety be taken away, the definite legal offence, by which a forfeiture of that charter is incurred, ought to have been clearly stated, and fully proved ; notice of this adverse proceeding ought to have been given to the parties affected ; and they ought to have been heard in their own defence. Such a principle of proceeding would have been inviolably observed in the courts below ; it is not technical formality, but substantial justice. When, therefore, the *magnitude* of such a cause transfers it from the cognizance of the inferior courts, to the high judicature of parliament, the lords are so far from being authorised to reject this equitable principle, that they are bound to an extraordinary and religious strictness in the observance of it. The subject ought to be indemnified by a more liberal and beneficial justice in parliament, for what he must inevitably suffer by being deprived of many of the *forms* which are wisely established in the courts of ordinary resort, for his protection against the dangerous promptitude of arbitrary discretion. The *necessity* alleged for this precipitate mode of judicial proceeding cannot exist. If the numerous land and marine forces, which are ordered to assemble in Massachusetts's Bay, are not sufficient to keep that single colony in any tolerable state
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of order, until the course of its charter be fairly and equally tried, no regulation in this bill, or in any of those hitherto brought into the house, are sufficient for that purpose; and we conceive, that the mere celerity of a decision against the charter of that province, will not reconcile the minds of the people to that mode of government which is to be established upon its ruins. We are not in a situation to determine how far the regulations of which this bill is composed, agree or disagree with the circumstances of the people, and with the whole detail of their municipal institutions. Neither the charter of the colony, nor any account whatsoever of its courts, and the judicial proceedings, their mode, or the exercise of their present powers, have been produced. The slightest evidence concerning any one of the many inconveniencies, stated in the preamble of the bill to have arisen from the present constitution of the colony judicatures, has not been produced, or even attempted. On the same general allegations of a declamatory preamble, any other right, or all the rights of this or any other public body, may be taken away, and any visionary scheme of government substituted in their place. The appointment of all the members of the council, which by this bill is vested in the crown, is not a proper provision for preserving the equilibrium of the colony constitution. The power given to the crown of occasionally increasing or lessening the number of the council on the report of governors, and at the pleasure of ministers, must make these governors and ministers masters of every question in that assembly; and by destroying its freedom of deliberation, will wholly annihilate its use. The intention avowed in this bill, of bringing the council to the platform of other colonies, is not likely to answer its own end; as the colonies, where the council is named by the crown, are not at all better disposed to a submission to the practice of taxing for supply without their consent, than this of Massachusetts Bay. And no pretence of bringing it to the model of the English constitution can be supported, as none of the American councils have the least resemblance to the house of peers. So that this new scheme of a council stands upon no sort of foundation, which.

which the proposers of it think proper to acknowledge. The new constitution of judicature provided by the bill is improper, and is incongruous with the plan of the administration of justice in Great Britain. All the judges are to be henceforth nominated (not by the crown, but) by the governor; and all (except the judges of the superior court) are to be removable at his pleasure, and expressly without the consent of that very council which has been nominated by the crown. The appointment of the sheriff is by the will of the governor only, and without requiring in the person appointed any local or other qualification; that sheriff, a magistrate of great importance to the whole administration, and execution of all justice, civil and criminal, and who in England is not removable even by the royal authority, during the continuance of the term of his office, is by this bill made changeable by the governor and council, as often, and for such purposes as they shall think fit. The governor and council, thus entrusted with powers, with which the British constitution has not trusted his majesty and his privy council, have the means of returning such a jury in each particular cause, as may best suit with the gratification of their passions and interests; the lives, liberties, and properties of the subject are put into their hands without control; and the invaluable right of trial by jury is turned into a snare for the people, who have hitherto looked upon it as their main security against the licentiousness of power. In this bill is the same scheme of strengthening the authority of the officers and ministers of state, at the expense of the rights and liberties of the subject, which was indicated by the inauspicious act for shutting up the port of Boston. By that act, which is immediately connected with this bill, the example was set of a large and important city (containing vast multitudes of people, many of whom may be innocent, and all of whom are unheard), by an arbitrary sentence, deprived of the advantage of that port, upon which all their means of livelihood did immediately depend. This proscription is not made determinable on the payment of a fine for an offence, or a compensation for an injury; but is to continue until the ministers of
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the crown shall think fit to advise the king in council to revoke it. The legal condition of the subject (standing unattainted by conviction, for treason or felony) ought never to depend upon the arbitrary will of any person whatsoever. This act, unexampled on the records of parliament, has been entered on the journals of the house as voted *nemine dissentiente*, and has been stated in the debate of this day, to have been sent to the colonies, as passed without a division in either house, and therefore as conveying the uncontroverted universal sense of the nation. The despair of making effectual opposition to an unjust measure, has been construed into an approbation of it.--- This bill, and other proceedings that accompany it, are intended for the support of that unadvised scheme of taxing the colonies, in a manner new, and unsuitable to their situation and constitutional circumstances. Parliament has asserted the authority of the legislature of this kingdom, supreme and unlimited, over all the members of the British empire; but the legal extent of this authority furnishes no argument in favour of an unwarrantable use of it. The sense of the nation on the repeal of the stamp-act was, that in equity and sound policy, the taxation of the colonies for the ordinary purposes of supply, ought to be forborn; and that this kingdom ought to satisfy itself with the advantage to be derived from a flourishing and increasing trade, and with the free grants of American assemblies; as being far more beneficial, far more easily obtained, less oppressive, and more likely to be lasting, than any revenue to be acquired by parliamentary taxes, accompanied by a total alienation of the affections of those who were to pay them. This principle of repeal was nothing more than a return to the ancient standing policy of this empire. The unhappy departure from it has led to that course of shifting and contradictory measures, which have since given rise to such continued distractions; by which unadvised plan, new duties have been imposed in the very year after the others had been repealed; these new duties afterwards in part repealed, and in part continued, in contradiction to the principles upon which those repealed were given up; all which, with many weak, in-

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judicious, and precipitate steps taken to enforce a compliance, have kept up that jealousy, which on the repeal of the stamp-act was subsiding; revived dangerous questions, and gradually estranged the affections of the colonies from the mother-country, without any object of advantage to either. If the force proposed should have its full effect, that effect we greatly apprehend may not continue longer than whilst the sword is held up. To render the colonies permanently advantageous, they must be satisfied with their condition. That satisfaction there is no chance of restoring, whatever measures may be pursued, except by recurring, in the whole, to the principles upon which the stamp-act was repealed." This protest was signed by eleven peers.

The minority contended likewise, that the form of trial by juries in this province was much better calculated than that used at home for the prevention of partiality, and that if a comparison was to be drawn betwixt this proceeding, and those in the reigns of Charles and James II. against the English and American corporations, such comparison would in every respect turn out more favourable for the latter than the former, however arbitrary we might be accustomed to term those reigns. Mr. Bolland attempted a second petition, but in vain; it was refused by a majority of three to one. The Americans in England presented another petition, which was allowed to lie upon the table, but produced no effect. The following extract from it will be read now with more attention: "Your petitioners entreat the house to consider what must be the consequence of sending troops, not really under the control of the civil power, and unamenable to the law, among a people whom they have been industriously taught, by the incendiary arts of wicked men, to regard as deserving every species of insult and abuse; the insults and injuries of a lawless soldiery are such as no free people can long endure; and your petitioners apprehend, in the consequences of this bill, the horrid outrages of military oppression, followed by the desolation of civil commotions. The dispensing power which this bill intends to give to the governor, advanced as he is already

already above the law, and not liable to any impeachment from the people he may oppress, must constitute him an absolute tyrant. Your petitioners would be utterly unworthy of the English ancestry, which is their claim and pride, if they did not feel a virtuous indignation at the reproach of disaffection and rebellion, with which they have been cruelly aspersed. They can with confidence say, no imputation was ever less deserved. They appeal to the experience of a century, in which the glory, the honour, and the prosperity of England, has been, in their estimation, their own; in which they have not only borne the burden of provincial wars, but have shared with this country in the dangers and expenses of every national war. Their zeal for the service of the crown, and the defence of the general empire, has prompted them, whenever it was required, to vote supplies of men and money, to the utmost exertion of their abilities. The journals of the house will bear witness to their extraordinary zeal and services during the last war, and that but a very short time before it was resolved to take from them the right of giving and granting their own money. If disturbances have happened in the colonies, they entreat of the house to consider the causes which have produced them, among a people hitherto remarkable for their loyalty to the crown, and affection for this kingdom. No history can show, nor will human nature admit of an instance of general discontent, but from a general sense of oppression. They conceived, that when they had acquired property under all the restraints this country thought necessary to impose upon their commerce, trade, and manufactures, that property was sacred and secure; they felt a very material difference between being restrained in the acquisition of property, and holding it when acquired under those restraints, at the disposal of others. They understand subordination in the one, and slavery in the other, and wish they could possibly perceive any difference between the most abject slavery, and such entire subjection to a legislature, in the constitution of which they have not a single voice, nor the least influence, and in which no one is present in their behalf. They regard the giving their property by their

own consent alone, as the unalienable right of the subject, and the last sacred bulwark of constitutional liberty; if they are wrong in this, they have been misled by the love of liberty, which is their dearest birthright; by the most solemn statutes, and the resolves of the house itself, declaratory of the inherent right of the subject; by the authority of all great constitutional writers, and by the uninterrupted practice of Ireland and America, who have ever voted their own supplies to the crown; all which combine to prove that the property of an English subject, being a freeman or a freeholder, cannot be taken from him but by his own consent. To deprive the colonies, therefore, of this right, is to reduce them to a state of vassalage, leaving them nothing they can call their own; nor capable of any acquisition, but for the benefit of others. It is with infinite and inexpressible concern, that they see in these bills, and in the principles of them, a direct tendency to reduce their countrymen to the dreadful alternative of being totally enslaved, or compelled into a contest the most shocking and unnatural with a parent state, which has ever been the object of their veneration and their love. They entreat the house to consider, that the restraints which examples of such severity and injustice impose, are ever attended with the most dangerous hatred. In a distress of mind which cannot be described, they conjure the house, not to convert that zeal and affection, which have hitherto united every American hand and heart in the interest of England, into passions the most painful and pernicious: Most earnestly they beseech the house not to attempt reducing them to a state of slavery, which the English principles of liberty, they inherit from their mother-country, will render worse than death; and therefore humbly pray, that the house will not, by passing these bills, overwhelm them with affliction, and reduce their countrymen to the most abject state of misery and humiliation, or drive them to the last resources of despair."

After this bill had passed through both houses, by great majorities, the ministry found no difficulty in prosecuting their intentions to make America feel the effects of her

her disobedience by a total subjection to the will of government. The next step was to bring in a bill "for the impartial administration of justice in the cases of persons questioned for any acts done by them in the execution of the laws, or for the suppression of riots and tumults in the province of Massachusetts Bay." By this bill, if any inquisition or indictment should be found, or if any appeal should be preferred against any person, for murder, or other capital offence, in the province of Massachusetts Bay, and it appeared, by information given upon oath to the governor, or the lieutenant-governor, that the fact was committed by the person against whom such indictment should be found, either in the execution of his duty as a magistrate, for the suppression of riots, or in the support of the laws of revenue, or in acting in his duty as an officer of revenue, or in acting under the direction and order of any magistrate, for the suppression of riots, or for the carrying into effect the laws of revenue, &c. and if it should also appear, to the satisfaction of the governor, that an indifferent trial cannot be had within the province, it was made lawful for the governor to direct, with the advice of the council, that indictment to be tried in some other of the colonies, or in Great Britain. The charges on both sides to be borne out of the customs, and the act to continue for four years.

Lord North grounded the defence of this bill upon the impossibility of any magistracy to see their orders put into execution, as their exertions would be resisted by rioters, and their cause pleaded against by those who were professed enemies to their authority. Nor was necessity alone his lordship's argument; this bill had precedents, particularly in the case of the rebellion in 1745, when the Scotch rebels were tried in England. He contended, that the intention of this bill was most friendly towards the Americans, by establishing a proper civil government where there was none before; that it was a requisite appendix to the two former, and the only measure wanting to complete his plan of regulation. He concluded with informing the house, that four regiments had been ordered to Boston, and the command given to general Gage,

and hoped that the blessings of peace would once more be restored.

The number of the minority bore no proportion to the strength of their arguments. They denied the tendency of the bill towards establishing impartiality; on the contrary, if the Americans condemned an officer as a murderer there, he would be here pronounced an active and spirited performer of his duty. Party spirit, they added, would operate on both sides. No abuse had been alleged, as justifying this measure. In the case of Capt. Preston there was an abuse; the intention therefore appeared to be to establish a military government, for the protection of murderers. The expense attending a voyage of three thousand miles, is trifling, when compared with the other inconveniences, in the case of any man who may think proper to prosecute the murderer of his friend. In the rebellion in Scotland, indeed, the prisoners were tried in England; but is there no difference betwixt the distance from Edinburgh to London, and that from Boston to London? Or is there any provision made for the delays that frequently retard a prosecution for years?—"Besides," said the lords, in a very spirited protest against it, "this bill, after the proscription of the port of Boston, the disfranchisement of the colony of Massachusetts Bay, and the variety of provisions which have been made in this session for new-modelling the whole polity and judicature of this province, is an humiliating confession of the weakness and inefficacy of all the proceedings of parliament. By supposing that it may be impracticable, by any means that the public wisdom could devise, to obtain a fair trial there for any who act under government, the house is made virtually to acknowledge the British government to be universally odious to the whole province. By supposing the case, that such trial may be equally impracticable in every other province of America, parliament does in effect admit, that its authority is, or probably may become hateful to all the colonies. This, we apprehend, is to publish to the world, in terms the most emphatical, the little confidence the supreme legislature reposes in the affection of so large and so important a part
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of the British empire. If parliament believed that any considerable number of the people in the colonies were willing to act in support of British government, it is evident that we might safely trust the persons so acting to their fellow-colonists for a fair trial for acts done in consequence of such support. The bill, therefore, amounts to a declaration, that the house knows no means of retaining the colonies in due obedience, but by an army rendered independent of the ordinary course of law, in the place where they are employed. A military force, sufficient for governing upon this plan, cannot be maintained without the inevitable ruin of the nation. This bill seems to be one of the many experiments towards an introduction of essential innovations into the government of this empire. The virtual indemnity, provided by this bill for those who shall be indicted for murders committed under colour of office, can answer no other purpose. We consider that to be an indemnity which renders trial, and consequently punishment, impracticable. And trial is impracticable, when the very governor, under whose authority acts of violence may be committed, is empowered to send the instruments of that violence to three thousand miles distance from the scene of their offence, the reach of their prosecutor, and the local evidence which may tend to their conviction. The authority given by this bill to compel the transportation from America to Great Britain, of any number of witnesses, at the pleasure of the parties prosecuting and prosecuted, without any regard to their age, sex, health, circumstances, business, or duties, seems to us so extravagant in its principles, and so impracticable in its execution, as to confirm us further in our opinion of the spirit which animates the whole system of the present American regulations."

On the third reading of this bill, on the 27th of May, the venerable earl of Chatham once more emerged from that political obscurity in which he had remained since the year 1771. As his speech affords a masterly view of the argument on American taxation, we shall insert it at large. "My lords," said he, "the unfavourable state of health under which I have long laboured, could not prevent

prevent me from laying before your lordships my thoughts on the bill now upon the table, and on the American affairs in general.

“ If we take a transient view of those motives which induced the ancestors of our fellow-subjects in America to leave their native country, to encounter the innumerable difficulties of the unexplored regions of the western world, our astonishment at the present conduct of their descendants will naturally subside. There was no corner of the world into which men of their free and enterprising spirit would not fly with alacrity, rather than submit to the slavish and tyrannical principles, which prevailed at that period in their native country. And shall we wonder, my lords, if the descendants of such illustrious characters spurn, with contempt, the hand of unconstitutional power, that would snatch from them such dear-bought privileges as they now contend for? Had the British colonies been planted by any other kingdom than our own, the inhabitants would have carried with them the chains of slavery, and spirit of despotism; but as they are, they ought to be remembered as great instances to instruct the world, what great exertions mankind will naturally make, when they are left to the free exercise of their own powers.

“ And, my lords, notwithstanding my intention to give my hearty negative to the question now before you, I cannot help condemning, in the severest manner, the late turbulent and unwarrantable conduct of the Americans in some instances, particularly in the late riots of Boston. But, my lords, the mode which has been pursued to bring them back to a sense of their duty to their parent state, has been so diametrically opposite to the fundamental principles of sound policy, that individuals, possessed of common understanding, must be astonished at such proceedings. By blocking up the harbour of Boston, you have involved the innocent trader in the same punishment with the guilty profligates who destroyed your merchandize; and instead of making a well-concerted effort to secure the real offenders, you clap a naval
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and military extinguisher over their harbour, and punish the crime of a few lawless depredators and their abettors, upon the whole body of the inhabitants.

“ My lords, this country is little obliged to the framers and promoters of this tea-tax. The Americans had almost forgotten, in their excess of gratitude for the repeal of the stamp-act, any interest but that of the mother-country; there seemed an emulation among the different provinces, who should be most dutiful and forward in their expressions of loyalty to their real benefactor; as you will readily perceive by the following letter from governor Bernard to a noble lord then in office :

“ ‘ The house of representatives (says he), from the time of opening the session to this day, has shown a disposition to avoid all dispute with me; every thing having passed with as much good humour as I could desire. They have acted, in all things, with temper and moderation; they have avoided some subjects of dispute, and have laid a foundation for removing some causes of former altercation.’

“ This, my lords, was the temper of the Americans; and would have continued so, had it not been interrupted by your fruitless endeavours to tax them without their consent: But the moment they perceived your intention was renewed to tax them, under a pretence of serving the East India company, their resentment got the ascendant of their moderation, and hurried them into actions contrary to law, which, in their cooler hours, they would have thought on with horror; for I sincerely believe, the destroying of the tea was the effect of despair.

“ But, my lords, from the complexion of the whole of the proceedings, I think that administration has purposely irritated them into those late violent acts, for which they now so severely smart; purposely to be revenged on them for the victory they gained by the repeal of the stamp-act; a measure to which they seemingly acquiesced, but at the bottom they were its real enemies. For what other motive could induce them to dress taxation, that father of American sedition, in the robes of an East India director, but to break in upon that mutual peace

peace and harmony, which then so happily subsisted between them and the mother-country?

“ My lords, I am an old man, and would advise the noble lords in office to adopt a more gentle mode of governing America; for the day is not far distant, when America may vie with these kingdoms, not only in arms, but in arts also. It is an established fact, that the principal towns in America are learned and polite, and understand the constitution of the empire as well as the noble lords who are now in office; and consequently, they will have a watchful eye over their liberties, to prevent the least encroachment on their hereditary rights.

“ This observation is so recently exemplified in an excellent pamphlet, which comes from the pen of an American gentleman, that I shall take the liberty of reading to your lordships his thoughts on the competency of the British parliament to tax America, which, in my opinion, puts this interesting matter in the clearest view.

“ ‘ The high court of parliament (says he) is the supreme legislative power over the whole empire; in all free states the constitution is fixed; and as the supreme legislature derives its power and authority from the constitution, it cannot overleap the bounds of it, without destroying its own foundation. The constitution ascertains and limits both sovereignty and allegiance: And therefore his majesty’s American subjects, who acknowledge themselves bound by the ties of allegiance, have an equitable claim to the full enjoyment of the fundamental rules of the English constitution; and that it is an essential unalterable right in nature, ingrafted into the British constitution as a fundamental law, and ever held sacred and irrevocable by the subjects within the realm—that what a man has honestly acquired, is absolutely his own; which he may freely give, but which cannot be taken from him without his consent.’ ”

“ This, my lords, though no new doctrine, has always been my received and unalterable opinion, and I will carry it to my grave, *that this country had no right under heaven to tax America.* It is contrary to all the principles of justice and civil policy, which neither the exigencies

exigencies of the state, nor even an acquiescence in the taxes, could justify upon any occasion whatever. Such proceedings will never meet their wished-for success; and, instead of adding to their miseries, as the bill now before you most undoubtedly does, adopt some lenient measures, which may lure them to their duty; proceed like a kind and affectionate parent over a child whom he tenderly loves; and, instead of those harsh and severe proceedings, pass an amnesty on all their youthful errors; clasp them once more in your fond and affectionate arms; and I will venture to affirm, you will find them children worthy of their fire. But should their turbulence exist after your proffered terms of forgiveness, which I hope and expect this house will immediately adopt, I will be among the foremost of your lordships to move for such measures as will effectually prevent a future relapse, and make them feel what it is to provoke a fond and forgiving parent! a parent, my lords, whose welfare has ever been my greatest and most pleasing consolation. This declaration may seem unnecessary; but I will venture to declare, the period is not far distant, when she will want the assistance of her most distant friends: But should the all-disposing hand of Providence prevent me from affording her my poor assistance, my prayers shall be ever for her welfare—*Length of days be in her right hand, and in her left riches and honour; may her ways be ways of pleasantness, and all all her paths be peace!*"

The parliament did not stop here, but proceeded one step farther, which inflamed their enemies in America, and lost them friends in Great Britain. The general clamour in the provinces was, that the proceedings in the parliament were arbitrary and unconstitutional. Before they completed their memorable session in the beginning of the year 1774, they passed an act respecting the government of Quebec, which in the opinion of their friends merited these appellations. By this act the government of that province was made to extend southward to the Ohio, westward to the banks of the Mississippi, and northward to the boundary of the Hudson's Bay company. The principal objects of the act were to form
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a legislative council for all the affairs of the province, except taxation, which council should be appointed by the crown; the office to be held during pleasure, and his majesty's Roman catholic subjects to be entitled to a place therein—to establish the French laws, and a trial without jury in civil cases, and the English laws, with a trial by jury in criminal—to secure to the Roman catholic clergy, except the regulars, the legal enjoyment of their estates, and their tithes, from all who were of their own religion. Not only the spirit but the letter of this act were so contrary to the English constitution, that it diminished the popularity of the measures which had been formed against the Americans.

The Quebec bill originated in the house of lords, where it experienced but little opposition, except from lord Chatham, who on the 17th of June opposed it in the following animated terms. He said, it would involve a large province in a thousand difficulties, and in the worst of despotism, and put the whole people under arbitrary power; that it was a most cruel, oppressive, and odious measure, tearing up justice and every good principle by the roots; that by abolishing the trial by jury, together with the habeas corpus, he supposed the framers of the bill thought that mode of proceeding most satisfactory; whilst every true Englishman was ready to lay down his life sooner than lose those two bulwarks of his personal security and property. The merely supposing that the Canadians would not be able to feel the good effects of law and freedom, because they had been used to arbitrary power, was an idea as ridiculous as false. He said, the bill established a despotic government in that country, to which the royal proclamation of 1763 promised the protection of the English laws. Here the noble lord read part of the proclamation; and then entered into the power vested in the governor and council; the whole mode of which, he said, was tyrannical and despotic. He was particular on the bad consequences that would attend the great extension of that province; the whole of the bill appeared to him to be destructive of that liberty, which ought to be the ground-work of every
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constitution. Ten thousand objections, he was confident, might be made to the bill; but the extinction of the mode of trial above mentioned was a very alarming circumstance, and he would pronounce him a bold man who proposed such a plan.

When his lordship came to the religious part of the bill, he directed his discourse to the bench of bishops, telling them, that as by the bill the catholic religion was made the established religion of that vast continent, it was impossible they could be silent on the occasion. He called the bill a child of inordinate power, and desired and asked if any of that reverend bench would hold it out for baptism. He touched again on the unlimited power of the governor in appointing all the members, and who might consist of Roman catholics only.

He also took notice of an amendment which had been made in the house of commons, which was a new clause, repealing so much of the act of reformation of the 1st of Elizabeth as relates to the oath of supremacy, and substituting a common oath of allegiance in its place. This act of Elizabeth, he said, had always been looked upon as one that the legislature had no more right to repeal, than the great charter, or the bill of rights.—But in this he was greatly mistaken; for though several of the reverend bench were present, not one of them made the smallest objection to the clause—they all divided with the ministry.

Though the opposition was feeble in the lords, the bill, on being sent down to the commons, was criticised in such a manner as to alarm the ministry. It was found necessary therefore not to push it forward with such violence as had been used with the other bills, but rather to apologize for it; and this was done the more, as the subject of religion was concerned, which was more likely to make it unpopular than the others. It was allowed, that the bill came down in a very imperfect state from the lords; and administration would be open to conviction, and consent to any reasonable amendments that might be suggested; the plan might be discussed more at leisure than that of regulating the colony of Massachusetts Bay;

in which case it was necessary to show a degree of vigour and decision, or all order might be lost, and government entirely confounded. With respect to Canada, however, the case was different, as the people there were disposed to peace and obedience, though the government stood very much in need of regulation. Great altercations ensued, and several witnesses were examined, among whom were general Carlton, governor of Canada; Mr. Hay, chief-justice of that province; Mr. Mazores, late attorney-general and agent for the English inhabitants of Canada; Dr. Marriott, the king's advocate-general in Québec; and Mons. Lolbiniere, a French gentleman of considerable property in Canada.

This bill was opposed on the topic of religion more than on any other. Opposition insisted, that by the capitulation no more than a bare toleration for the catholic religion was provided, and with this the people were contented and happy; but now the case was so far reversed, that the protestants enjoyed no more than a bare toleration; the popish clergy were entitled to a maintenance by a legal parliamentary right, while the former were left at the king's discretion. It would have been but reasonable to put both on an equal footing. To enlarge the limits of the province seemed to indicate a design of spreading this arbitrary plan as wide as possible. If there were any Canadians settled on distant spots, it was no doubt proper to provide for them; but no reason could be given for annexing to Canada immense territories running along the back of the other colonies. This could not fail to aggravate their discontents, and they would attribute the extension of this arbitrary military government to a design of utterly extinguishing their liberties, and bringing them into a state of the most abject vassalage, by means of the very people whom they had helped to conquer.

Though the arguments used by opposition could not prevail so far as to prevent the act from passing, they nevertheless occasioned several alterations to be made, by which its appearance was very much changed, though the substance remained the same. Motions were made to allow

low juries in civil cases at the option of the parties, and to grant them the benefit of the *habeas corpus* act; but both were rejected.

With this decision, the session ended on June 22d. His majesty observed, that the very peculiar circumstances of embarrassment in which the province of Quebec was involved, had rendered the proper adjustment and regulation of the government thereof a matter of no small difficulty; that the bill was founded on the clearest principles of justice and humanity, and would, his majesty doubted not, have the best effects in quieting the minds, and promoting the happiness of the subjects in Canada. That his majesty had long seen, with concern, a dangerous spirit of resistance to his government, and to the execution of the laws, prevailing in the province of Massachusetts Bay, in New England. It proceeded, at length, to such an enormity, as to render the interposition of parliament indispensably necessary; that they had, accordingly, made provisions as well for the suppression of the present disorders, as for the prevention of the like in future. The temper and firmness with which they had conducted themselves in this important business, and the general concurrence with which the resolution of maintaining the authority of the laws, in every part of the dominions, had been adopted and supported, could not fail of giving the greatest weight to the measures which had been the result of their deliberations.—Assurance was given, that nothing which depended on his majesty, should be wanting to render them effectual; and that it was his majesty's most anxious desire to see his deluded subjects, in that part of the world, returning to a sense of their duty, acquiescing in that just subordination to the authority, and maintaining that due regard to the commercial interests of this country, which must ever be inseparably connected with their own real prosperity and advantage. Nothing material had happened since the meeting, with respect to the war between Russia and the Porte; and the friendly assurances which his majesty continued to receive from the neighbouring powers, gave the strongest reason to believe, that they had the same good

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dispositions as his majesty to preserve the tranquillity of the rest of Europe.

The winter which followed the destruction of the tea in Boston, was an anxious one to those of the colonists who were given to reflection. Many conjectures were formed about the line of conduct which Great Britain would probably adopt, for the support of her dignity. The fears of the most timid were more than realized by the news of the Boston port bill. This arrived on the 10th of May 1774, and its operation was to commence the first of the next month. Various town meetings were called to deliberate on the state of public affairs. On the 13th of May, the town of Boston passed the following vote:

“ That it is the opinion of this town, that if the other colonies come into a joint resolution to stop all importation from Great Britain and the West Indies, till the act for blocking up this harbour be repealed, the same will prove the salvation of North America and her liberties. On the other hand, if they continue their exports and imports, there is high reason to fear that fraud, power, and the most odious oppression, will rise triumphant over justice, right, social happiness, and freedom. And, moreover, that this vote be transmitted by the moderator to all our sister colonies, in the name and behalf of this town.”

Copies of this vote were transmitted to each of the colonies. The opposition to Great Britain had hitherto called forth the pens of the ingenious, and in some instances imposed the self-denial of non-importation agreements: But the bulk of the people had little to do with the dispute. The spirited conduct of the people of Boston in destroying the tea, and the alarming precedents set by Great Britain, in consequence thereof, brought subjects into discussion, in which every peasant and day-labourer was concerned.

The patriots who had hitherto guided the helm, knew well that if the other colonies did not support the people of Boston, they must be crushed, and it was equally obvious, that in their coercion a precedent, injurious to
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liberty, would be established. It was, therefore, the interest of Boston to draw in the other colonies. It was also the interest of the patriots in all the colonies, to bring over the bulk of the people to adopt such efficient measures as were likely to extricate the inhabitants of Boston from the unhappy situation in which they were involved. To effect these purposes much prudence as well as patriotism was necessary. The other provinces were but remotely affected by the fate of Massachusetts. They were happy, and had no cause, on their own account, to oppose the government of Great Britain. That a people so circumstanced should take part with a distressed neighbour, at the risque of incurring the resentment of the mother-country, did not accord with the selfish maxims by which states, as well as individuals, are usually governed. The ruled are, for the most part, prone to suffer as long as evils are tolerable, and in general they must feel before they are roused to contend with their oppressors; but the Americans acted on a contrary principle.

They commenced an opposition to Great Britain, and ultimately engaged in a defensive war on speculation. They were not so much moved by oppression actually felt, as by a conviction that a foundation was laid, and a precedent about to be established for future oppressions. To convince the bulk of the people, that they had an interest in foregoing a present good, and submitting to a present evil, in order to obtain a future greater good, and to avoid a future greater evil, was the task assigned to the colonial patriots. But it called for the exertion of their utmost abilities. They effected it in a great measure by means of the press. Pamphlets, essays, addresses, and newspaper dissertations, were daily presented to the public, proving that Massachusetts was suffering in the common cause, and that interest and policy, as well as good neighbourhood, required the united exertions of all the colonies, in support of that much-injured province. It was inculcated on the people, that if the ministerial schemes were suffered to take effect in Massachusetts, the other colonies must expect the loss of their charters, and that a new government would be imposed upon

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them, like that projected for Quebec. The king and parliament held no patronage in America sufficient to oppose this torrent, and the few who ventured to write in their favour found a difficulty in communicating their sentiments to the public. No pensions or preferments awaited their exertions. Neglect and contempt were their usual portion; but popularity, consequence, and fame, were the rewards of those who stepped forward in the cause of liberty. In order to interest the great body of people, the few who were at the helm disclaimed any thing more decisive, than convening the inhabitants, and taking their sense on what was proper to be done. In the mean time great pains were taken to prepare them for the adoption of vigorous measures.

The words whig and tory, for want of better, were now introduced, as the distinguishing names of parties. By the former, were meant those who were for making a common cause with Boston, and supporting the colonies in their opposition to the claims of parliament: By the latter, those who were at least so far favourers of Great Britain, that they wished either that no measures, or only palliative measures, should be adopted in opposition to her schemes.

These parties were so nearly balanced in New-York, that nothing more was agreed to at the first meeting of the inhabitants, than a recommendation to call a congress.

At Philadelphia the patriots had a delicate part to act. The government of the colony being proprietary, a multitude of officers, connected with that interest, had much to fear from convulsions, and nothing to expect from a revolution. A still greater body of people, called Quakers, denied the lawfulness of war, and, therefore, could not adopt such measures for the support of Boston, as naturally tended to produce an event so adverse to their system of religion.

The citizens of Boston not only sent forward their public letter to the citizens of Philadelphia, but accompanied it with private communications to individuals of known patriotism and influence, in which they stated the impossibility of their standing alone against the torrent

rent of ministerial vengeance, and the indispensable necessity that the leading colony of Pennsylvania should afford them its support and countenance. The advocates in Philadelphia for making a common cause with Boston, were fully sensible of the state of parties in Pennsylvania. They saw the dispute with Great Britain brought to a crisis, and a new scene opening, which required exertions different from any heretofore made. The success of these, they well knew, depended on the wisdom with which they were planned, and the union of the whole people in carrying them into execution. They saw the propriety of proceeding with the greatest circumspection: and therefore, at their first meeting, on the 20th of May, resolved on nothing more than to call a general meeting of the inhabitants on the next evening. At the second meeting, on the following day, the patriots had so much moderation and policy, as to urge nothing decisive, contenting themselves with taking the sense of the inhabitants, simply on the propriety of sending an answer to the public letter from Boston. This was universally approved. The letter agreed upon was firm but temperate: They acknowledged the difficulty of offering advice on the present occasion, sympathised with the people of Boston in their distress, and observed that all lenient measures for their relief should be first tried. That if the making restitution for the tea destroyed, would put an end to the unhappy controversy, and leave the people of Boston upon their ancient footing of constitutional liberty, it could not admit of a doubt what part they should act: But that it was not the value of the tea, it was the indefeasible right of giving and granting their own money, which was the matter in consideration; that it was the common cause of America; and therefore necessary, in their opinion, that a congress of deputies from the several colonies should be convened, to devise means for restoring harmony between Great Britain and the colonies, and preventing matters from coming to extremities. Till this could be brought about, they recommended firmness, prudence, and moderation, to the immediate sufferers, assuring them, that the people

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of Pennsylvania would continue to evince a firm adherence to the cause of American liberty.

In order to awaken the attention of the people, a series of letters was published, well calculated to rouse them to a sense of their danger, and point out the fatal consequences of the late acts of parliament. Every newspaper teemed with dissertations in favour of liberty—with debates of the members of parliament, especially with the speeches of the favourers of America, and the protest of the dissenting lords. The latter had a particular effect on the colonists, and were considered by them as irrefragable proofs that the late acts against Massachusetts were unconstitutional and arbitrary.

The minds of the people being thus prepared, the friends of liberty promoted a petition to the governor for convening the assembly. This they knew would not be granted, and that the refusal of it would smooth the way for calling the inhabitants together. The governor having refused to call the assembly, a general meeting of the inhabitants was requested on the 18th of June. About 8000 met, and adopted some spirited resolutions. In these they declared, that the Boston port act was unconstitutional---that it was expedient to convene a continental congress---to appoint a committee for the city and county of Philadelphia to correspond with their sister colonies and the several counties of Pennsylvania, and to invest that committee with power to determine on the best mode for collecting the sense of the province, and appointing deputies to attend a general congress. Under the sanction of this last resolve, the committee appointed for that purpose, on the 28th of June, wrote a circular letter to all the counties of the province, requesting them to appoint deputies to a general meeting, proposed to be held on the 15th of July; part of this letter was in the following words: "We would not offer such an affront to the well-known public spirit of Pennsylvanians as to question your zeal on the present occasion. Our very existence in the rank of freemen, and the security of all that ought to be dear to us, evidently depends on our conducting this great cause to its proper issue, by firmness, wisdom, and magnanimity.

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It is with pleasure we assure you, that all the colonies from South-Carolina to New-Hampshire, are animated with one spirit in the common cause, and consider that as this is the proper crisis for having our differences with the mother-country brought to some certain issue, and our liberties fixed upon a permanent foundation, this desirable end can only be accomplished by a free communication of sentiments, and a sincere and fervent regard for the interests of our common country."

The several counties readily complied with the request of the inhabitants of Philadelphia, and appointed deputies, who met at the time appointed, and passed resolves, in which they reprobated the late acts of parliament; expressed their sympathy with Boston, as suffering in the common cause; approved of holding a congress, and declared their willingness to make any sacrifices that might be recommended by a congress, for securing their liberties.

Thus, without tumult, disorder, or divided counsels, the whole province of Pennsylvania was, by prudent management and temperate proceedings, brought into the opposition with its whole weight and influence. This is the more remarkable, as it is probable, that if the sentiments of individuals had been separately taken, there would have been a majority against involving themselves in the consequences of taking part with the destroyers of the tea at Boston.

While these proceedings were carrying on in Pennsylvania, three of the most distinguished patriots of Philadelphia, under colour of an excursion of pleasure, made a tour throughout the province, in order to discover the real sentiments of the common people. They were well apprized of the consequences of taking the lead in a dispute which every day became more serious, unless they could depend on being supported by the yeomanry of the country. By freely associating and conversing with many of every class and denomination, they found them unanimous in that fundamental principle of the American controversy, "That the parliament of Great Britain had no right to tax them." From their general determination

on this subject, a favourable prognostic was formed of a successful opposition to the claims of Great Britain.

In Virginia, the house of burgesses, on the 26th of May 1774, resolved, that the first of June, the day on which the operation of the Boston port bill was to commence, should be set apart by the members as a day of fasting, humiliation, and prayer, "devoutly to implore the Divine interposition, for averting the heavy calamities which threatened destruction to their civil rights, and the evils of a civil war---to give them one heart and one mind, to oppose by all just and proper means, every injury to American rights." On the publication of this resolution, the royal governor, the earl of Dunmore, dissolved them. The members, notwithstanding their dissolution, met in their private capacities, and signed an agreement, in which, among other things, they declared, "that an attack made on one of their sister colonies, to compel submission to arbitrary taxes, was an attack made on all British America, and threatened ruin to the rights of all, unless the united wisdom of the whole be applied."

In South-Carolina, the vote of the town of Boston of the 13th of May being presented to a number of the leading citizens in Charlestown, it was unanimously agreed to call a meeting of the inhabitants.

That this might be as general as possible, letters were sent to every parish and district in the province, and the people were invited to attend, either personally, or by their representatives, at a general meeting of the inhabitants. On the 18th of July a large number assembled, in which were some from almost every part of the province. The proceedings of the parliament against the province of Massachusetts were distinctly related to this convention. Without one dissenting voice, they passed several resolutions, expressive of their rights, and of their sympathy with the people of Boston. They also chose five delegates to represent them in a continental congress, and invested them "with full powers and authority in behalf of them and their constituents, to concert, agree to, and effectually to prosecute such legal measures as in their opinion,
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and the opinion of the other members, would be most likely to obtain a redress of American grievances."

The events of this time may be transmitted to posterity, but the agitation of the public mind can never be fully comprehended but by those who were witnesses of it.

In the counties and towns of the several provinces, as well as in the cities, the people assembled and passed resolutions, expressive of their rights, and of their detestation of the late American acts of parliament. These had an instantaneous effect on the minds of thousands. Not only the young and impetuous, but the aged and temperate, joined in pronouncing them to be unconstitutional and oppressive. They viewed them as deadly weapons aimed at the vitals of that liberty which they adored; as rendering abortive the generous pains taken by their forefathers, to procure for them in a new world, the quiet enjoyment of their rights. They were the subjects of their meditation when alone, and of their conversation when in company.

Within little more than a month after the news of the Boston port bill reached America, it was communicated from state to state, and a flame was kindled in almost every breast through the widely-extended provinces.

In order to understand the mode by which this flame was spread with such rapidity over so great an extent of country, it is necessary to observe, that the several colonies were divided into counties, and these again subdivided into districts, distinguished by the names of towns, townships, precincts, hundreds, or parishes. In New-England the subdivisions, which are called towns, were, by law, bodies corporate, had their regular meetings, and might be occasionally convened by their proper officers. The advantages derived from these meetings, by uniting the whole body of the people in the measures taken to oppose the stamp-act, induced other provinces to follow the example. Accordingly, under the association which was formed to oppose the revenue act of 1767, committees were established not only in the capitals of every province, but also in most of the subordinate districts. Great Britain,

Britain, without desiring it, had, by her two preceding attempts at American revenue, taught her colonies not only the advantages, but the means of union. The system of committees, which prevailed in 1765, and also in 1767, was revived in 1774. By them there was a quick transmission of intelligence from the capital towns through the subordinate districts to the whole body of the people, and an union of counsels and measures was effected among the widely-disseminated inhabitants.

It is perhaps impossible for human wisdom to contrive any system more subservient to these purposes, than such a reciprocal exchange of intelligence by committees. From the want of such communication with each other, and consequently of union among themselves, many states have lost their liberties, and more have been unsuccessful in their attempts to regain them, after they have been lost.

What the eloquence and talents of Demosthenes could not effect among the states of Greece, might have been effected by the simple device of committees of correspondence. The few have been enabled to keep the many in subjection in every age, from the want of union among the latter. Several of the provinces of Spain complained of oppression under Charles the Fifth, and in transports of rage took arms against him; but they never consulted or communicated with each other. They resisted separately, and were therefore separately subdued.

The colonists, sympathizing with their distressed brethren in Massachusetts, felt themselves called upon to do something for their relief; but to determine on what was proper to be done, did not so obviously occur. It was a natural idea, that for harmonizing their measures, a congress of deputies from each province should be convened. This early occurred to all, and being agreed to by all, was the means of procuring union and concert among inhabitants, removed several hundred miles from each other. In times less animated, various questions about the place and legality of their meeting, and about the extent of their power, would have procured a great diversity of sentiments; but on this occasion, by the special agency of Providence, there was the same universal bent

bent of inclination in the great body of the people. A sense of common danger extinguished selfish passions. The public attention was fixed on the great cause of liberty. Local attachments and partialities were sacrificed on the altar of patriotism.

There were not wanting moderate men who would have been willing to pay for the tea destroyed, if that would have put an end to the controversy, for it was not the value of the tea nor of the tax, but the indefeasible right of giving and granting their money, for which the colonists contended. The act of parliament was so cautiously worded, as to prevent the opening of the port of Boston, even though the East India company had been reimbursed for all damages, "until it was made appear to his majesty in council, that peace and obedience to the laws were so far restored in the town of Boston, that the trade of Great Britain might be safely carried on there, and his majesty's customs duly collected." The latter part of this limitation, "the due collection of his majesty's customs," was understood to comprehend submission to the late revenue laws. It was therefore inferred, that payment for the tea destroyed would produce no certain relief, unless they were willing to give operation to the law for raising a revenue on future importations of that commodity, and also to acquiesce in the late mutilation of their charter. As it was deliberately resolved, never to submit to either, the most lukewarm of well-informed patriots, possessing the public confidence, neither advised nor wished for the adoption of that measure. A few in Boston, who were known to be in the royal interest, proposed a resolution for that purpose, but they met with no support. Of the many who joined the British in the course of the war, there was scarcely an individual to be found in this early stage of the controversy, who supported the rights of parliamentary taxation. There were, doubtless, many timid persons, who, fearing the power of Britain, would rather have submitted to her encroachments, than risk the vengeance of her arms; but such for the most part suppressed their sentiments. Zeal for liberty, being immediately rewarded with applause, the patriots had every

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inducement to come forward, and avow their principles; but there was something so unpopular in appearing to be influenced by timidity, interest, or excessive caution, when essential interests were attacked, that such persons shunned public notice, and sought the shade of retirement.

In the three first months which followed the shutting up of the port of Boston, the inhabitants of the colonies in hundreds of small circles, as well as in their provincial assemblies and congresses, expressed their abhorrence of the late proceedings of the British parliament against Massachusetts, their concurrence in the proposed measure of appointing deputies for a general congress, and their willingness to do and suffer whatever should be judged conducive to the establishment of their liberties.

A patriotic flame, created and diffused by the contagion of sympathy, was communicated to so many breasts, and reflected from such a variety of objects, as to become too intense to be resisted.

While the combination of the other colonies to support Boston was gaining strength, new matter of dissension daily took place in Massachusetts. The resolution for shutting the port of Boston, was no sooner taken, than it was determined to order a military force to that town. General Gage, the commander in chief of the royal forces in North America, was also sent thither, in the additional capacity of governor of Massachusetts. He arrived in Boston on the third day after the inhabitants received the first intelligence of the Boston port bill. Though the people were irritated by that measure, and though their republican jealousy was hurt by the combination of the civil and military character in one person, yet the general was received with all the honours which had been usually paid to his predecessors. Soon after his arrival, two regiments of foot, with a detachment of artillery and some cannon, were landed in Boston. These troops were by degrees reinforced with others from Ireland, New-York, Halifax, and Quebec.

The governor announced that he had the king's particular command for holding the general court at Salem,
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after the first of June. When that eventful day arrived, the act for shutting up the port of Boston commenced its operation. It was devoutly kept at Williamsburgh, as a day of fasting and humiliation. In Philadelphia it was solemnized with every manifestation of public calamity and grief. The inhabitants shut up their houses. After divine service a stillness reigned over the city, which exhibited an appearance of the deepest distress.

In Boston a new scene opened on the inhabitants. Hitherto that town had been the seat of commerce and of plenty. The immense business carried on there afforded a comfortable subsistence to many thousands. The necessary, the useful, and even some of the elegant arts were cultivated among them. The citizens were polite and hospitable. In this happy state they were sentenced, on the short notice of twenty-one days, to a total deprivation of all means of subsisting. The blow reached every person. The rents of the landholders either ceased or were greatly diminished. The immense property in stores and wharfs was rendered comparatively useless. Labourers, artificers, and others, employed in the numerous occupations created by an extensive trade, partook in the general calamity. They who depended on a regular income, flowing from previous acquisitions of property, as well as they who with the sweat of their brow earned their daily subsistence, were equally deprived of the means of support; and the chief difference between them was, that the distresses of the former were rendered more intolerable by the recollection of past enjoyments. All these inconveniences and hardships were borne with an inflexible fortitude. Their determination to persist in the same line of conduct which had been the occasion of their suffering was unabated.

The authors and advisers of the resolution for destroying the tea were in the town, and still retained their popularity and influence. The execrations of the inhabitants fell not on them, but on the British parliament. Their countrymen acquitted them of all selfish designs, and believed that, in their opposition to the measures of Great Britain, they were actuated by an honest zeal for

constitutional liberty. The sufferers in Boston had the consolation of sympathy from the other colonists. Contributions were raised in all quarters for their relief. Letters and addresses came to them from corporate bodies, town meetings, and provincial conventions, applauding their conduct, and exhorting them to perseverance.

The people of Marblehead, who, by their proximity, were likely to reap advantage from the distresses of Boston, generously offered the merchants of that place the use of their harbour, wharfs, warehouses, and also their personal attendance on the lading or unlading of their goods, free of all expense.

The inhabitants of Salem, in an address to governor Gage, concluded with these remarkable words: "By shutting up the port of Boston, some imagine that the course of trade might be turned hither, and to our benefit: But nature, in the formation of our harbour, forbids our becoming rivals in commerce with that convenient mart; and were it otherwise, we must be dead to every idea of justice, lost to all feelings of humanity, could we indulge one thought to seize on wealth, and raise our fortunes on the ruins of our suffering neighbours."

The Massachusetts general court met at Salem, according to adjournment, on the 7th of June. Several of the popular leaders took, in a private way, the sense of the members on what was proper to be done. Finding they were able to carry such measures as the public exigencies required, they prepared resolves, and moved for their adoption. But before they went on the latter business, their door was shut.

One member, nevertheless, contrived means of sending information to governor Gage of what was doing. His secretary was sent off to dissolve the general court, but was refused admission. As he could obtain no entrance, he read the proclamation at the door, and immediately after in council, and thus dissolved the general court. The house, while sitting with their doors shut, appointed five of the most respectable inhabitants as their committee, to meet committees from other provinces, that might
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be convened the first of September at Philadelphia; voted them 75 pounds sterling each, and recommended to the several towns and districts to raise the said sum by equitable proportions. By these means the designs of the governor were disappointed. His situation in every respect was truly disagreeable. It was his duty to forward the execution of laws which were universally execrated. Zeal for his master's service prompted him to endeavour that they should be carried into full effect, but his progress was retarded by obstacles from every quarter. He had to transact his official business with a people who possessed a high sense of liberty, and were uncommonly ingenious in evading disagreeable acts of parliament. It was a part of his duty to prevent the calling of the town meetings after the first of August 1774. These meetings were nevertheless held. On his proposing to exert authority for the dispersion of the people, he was told by the select men, that they had not offended against the act of parliament, for that only prohibited the calling of town meetings, and that no such call had been made; a former constitutional meeting, before the first of August, having only adjourned themselves from time to time. Other evasions equally founded on the letter of even the late obnoxious laws were practised.

As the summer advanced, the people of Massachusetts received stronger proofs of support from the neighbouring provinces; they were therefore encouraged to farther opposition. The inhabitants of the colonies at this time, with regard to political opinions, might be divided into three classes; of these, one was for rushing precipitately into extremities. They were for immediately stopping all trade, and could not even brook the delay of waiting till the proposed continental congress should meet. Another party, equally respectable, both as to character, property, and patriotism, was more moderate, but not less firm. These were averse to the adoption of any violent resolutions till all others were ineffectually tried. They wished that a clear statement of their rights, claims, and grievances, should precede every other measure. A third class disapproved of what was generally going on: A few from

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principle, and a persuasion that they ought to submit to the mother-country; some from the love of ease, others from self-interest, but the bulk from fear of the mischievous consequences likely to follow. All these latter classes, for the most part, lay still, while the friends of liberty acted with spirit. If they, or any of them, ventured to oppose popular measures, they were not supported, and therefore declined farther efforts. The resentment of the people was so strong against them, that they sought for peace by remaining quiet. The same indecision that made them willing to submit to Great Britain, made them apparently acquiesce in popular measures which they disapproved. The spirited part of the community being on the side of liberty, the patriots had the appearance of unanimity; though many either kept at a distance from public meetings, or voted against their own opinion, to secure themselves from resentment, and promote their present ease and interest.

Under the influence of those who were for the immediate adoption of efficacious measures, an agreement, by the name of the solemn league and covenant, was adopted by numbers. The subscribers of this bound themselves to suspend all commerical intercourse with Great Britain, until the late obnoxious laws should be repealed, and the colony of Massachusetts restored to its chartered rights.

On the 29th of June general Gage published a proclamation, in which he styled this solemn league and covenant, an "unlawful, hostile, and traitorous combination." And all magistrates were charged to apprehend and secure for trial, such as should have any agency in publishing or subscribing the same, or any similar covenant. This proclamation had no other effect than to exercise the pens of the lawyers, in showing that the association did not come within the description of legal treason, and that, therefore, the governor's proclamation was not warranted by the principles of the constitution.

The late law for regulating the government of the provinces, arrived near the beginning of August, and was accompanied with a list of thirty-six new counsellors, appointed by the crown, and in a mode different from that prescribed

hed by the charter. Several of these, in the first instance, declined an acceptance of the appointment. Those who accepted of it, were every-where declared to be enemies to their country. The new judges were rendered incapable of proceeding in their official duty. Upon opening the courts, the juries refused to be sworn, or to act in any manner, either under them, or in conformity to the late regulations. In some places, the people assembled and filled the court-houses and avenues to them in such a manner, that neither the judges nor their officers could obtain entrance; and upon the sheriff's commanding them to make way for the court, they answered, "That they knew no court independent of the ancient laws of their country, and to none other would they submit."

In imitation of his royal master, governor Gage, on the 4th of August, issued a proclamation "for the encouragement of piety and virtue, and for the prevention and punishing vice, profaneness, and immorality." In this proclamation, hypocrisy was inserted as one of the immoralities against which the people were warned. This was considered by the inhabitants, who had often been ridiculed for their strict attention to the forms of religion, to be a studied insult, and as such was more resented than an actual injury. It greatly added to the inflammation which had already taken place in their minds.

The proceedings and apparent dispositions of the people, together with the military preparations which were daily made through the province, induced general Gage to fortify that neck of land which joins Boston to the continent.

He also seized upon the powder which was lodged in the arsenal at Charlestown.

This excited a most violent and universal ferment. On the 1st of September several thousands of the people assembled at Cambridge, and it was with difficulty they were restrained from marching directly to Boston, to demand a delivery of the powder, with a resolution in case of refusal to attack the troops.

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The people thus assembled, proceeded to lieutenant-governor Oliver's house, and to the houses of several of the new counsellors, and obliged them to resign, and to declare that they would no more act under the laws lately enacted. In the confusion of these transactions, a rumour went abroad that the royal fleet and troops were firing upon the town of Boston. This was probably designed by the popular leaders, on purpose to ascertain what aid they might expect from the country in case of extremities. The result exceeded their most sanguine expectations. In less than twenty-four hours, there were upwards of 30,000 men in arms, and marching towards the capital. Other risings of the people took place in different parts of the colony, and their violence was such, that in a short time the new counsellors, the commissioners of the customs, and all who had taken an active part in favour of Great Britain, were obliged to screen themselves in Boston. The new seat of government at Salem was abandoned, and all the officers connected with the revenue were obliged to consult their safety, by taking up their residence in a place which an act of parliament had proscribed from all trade.

About this time, delegates from every town and district in the county of Suffolk, of which Boston is the county town, had a meeting, at which they prefaced a number of spirited resolutions, containing a detail of the particulars of their intended opposition to the late acts of parliament, with a general declaration, "That no obedience was due from the province to either, or any part of the said acts, but that they should be rejected as the attempts of a wicked administration to enslave America." The resolves of this meeting were sent on to Philadelphia for the information and opinion of the congress, which had met there about this time.

The people of Massachusetts rightly judged, that from the decision of congress on these resolutions, they would be enabled to determine what support they might expect. Notwithstanding present appearances, they feared that the other colonies, who were no more than remotely concerned, would not hazard the consequences of making a
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common cause with them, should subsequent events make it necessary to repel force by force. The decision of congress exceeded their expectations. They "most thoroughly approved the wisdom and fortitude with which opposition to wicked ministerial measures had been hitherto conducted in Massachusetts, and recommended to them perseverance in the same firm and temperate conduct as expressed in the resolutions of the delegates from the county of Suffolk." By this approbation and advice, the people of Massachusetts were encouraged to resistance, and the other colonies became bound to support them. The former, more in need of a bridle than a spur, proceeded as they had begun, but with additional confidence.

Governor Gage had issued writs for holding a general assembly at Salem on the 4th of October; but subsequent events, and the heat and violence which every-where prevailed, made him think it expedient to counteract the writs by a proclamation for suspending the meeting of the members. The legality of a proclamation for that purpose was denied; and in defiance thereof ninety of the newly-elected members met at the time and place appointed. They soon after resolved themselves into a provincial congress, and adjourned to Concord, about twenty miles from Charlestown. On their meeting there, they chose Mr. Hancock president, and proceeded to business. One of their first acts was to appoint a committee to wait on the governor with a remonstrance, in which they apologized for their meeting, from the distressed state of the colony; complained of their grievances, and, after stating their apprehensions, from the hostile preparations on Boston Neck, concluded with an earnest request, "That he would desist from the construction of the fortresses at the entrance into Boston, and restore that pass to its natural state." The governor found some difficulty in giving them an answer, as they were not, in his opinion, a legal body; but the necessity of the times overruled his scruples. He replied, by expressing his indignation at the supposition, "that the lives, liberties, or property of any people, except enemies, could be in danger from English troops." He reminded them, that while
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they complained of alterations made in their charter, by acts of parliament, they were, by their own acts, subverting it altogether. He, therefore, warned them of the rocks they were upon, and to desist from such illegal and unconstitutional proceedings. The governor's admonitions were unavailing. The provincial congress appointed a committee to draw up a plan for the immediate defence of the province. It was resolved to enlist a number of the inhabitants under the name of minute-men, who were to be under obligations to turn out at a minute's warning. Jedediah Pribble, Artemas Ward, and Seth Pomeroy, were elected general officers to command these minute-men and the militia, in case they should be called out to action. A committee of safety and a committee of supplies were appointed. These consisted of different persons, and were intended for different purposes. The first were invested with an authority to assemble the militia when they thought proper, and were to recommend to the committee of supplies the purchase of such articles as the public exigencies required; the last were limited to the small sum of 15,627l. 15s. sterling, which was all the money at first voted to oppose the power and riches of Great Britain. Under this authority, and with these means, the committee of safety and of supplies, acting in concert, laid in a quantity of stores, partly at Worcester and partly at Concord. The same congress met again, on the 23d of November; and soon after resolved to get in readiness twelve thousand men to act on any given emergency; and that a fourth part of the militia should be enlisted as minute-men, and receive pay. John Thomas and William Heath were appointed general officers. They also sent persons to New-Hampshire, Rhode-Island, and Connecticut, to inform them of the steps they had taken, and to request their co-operation in making up an army of 20,000 men. Committees from these several colonies met with a committee from the provincial congress of Massachusetts, and settled their plans. The proper period of commencing opposition to general Gage's troops was determined to be whenever they marched out with their baggage, ammunition, and artillery. The aid of the clergy

clergy was called in upon this occasion, and a circular letter was addressed to each of the several ministers in the province, requesting their assistance "in avoiding the dreadful slavery with which they were threatened."

As the winter approached, general Gage ordered barracks for his troops to be erected; but such was the superior influence of the popular leaders, that on their recommendation the workmen desisted from fulfilling the general's wishes, though the money for their labour would have been paid by the crown.

An application to New-York was equally unsuccessful, and it was with difficulty that the troops could be furnished with winter lodgings. Similar obstructions were thrown in the way of getting winter covering for the soldiery. The merchants of New-York, on being applied to, answered, "That they would never supply any article for the benefit of men who were sent as enemies to the country." The inhabitants of Massachusetts encouraged the desertion of the soldiers; and acted systematically in preventing their obtaining any other supplies but necessary provisions. The farmers were discouraged from selling them straw, timber, boards, and such-like articles of convenience. Straw, when purchased for their service, was frequently burnt. Vessels, with bricks intended for their use, were sunk, and carts with wood were overturned, and the king's property, by one contrivance or other, was daily destroyed.

A proclamation had been issued by the king, prohibiting the exportation of military stores from Britain, which reached America in the latter end of the year 1774. On receiving intelligence of this, in Rhode-Island, the people seized upon and removed from the public battery about forty pieces of cannon; and the assembly passed resolutions for obtaining arms and military stores by every means, and also for raising and arming the inhabitants: Soon after, on the 14th of December, 400 men beset his majesty's castle at Portsmouth. They sustained a fire from three four-pounders and small arms; but before they could be ready for a second fire, the assailants stormed the fort, and secured and confined the garrison till they broke open the
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the powder-house, and took the powder away. The powder being secured, the garrison was released from confinement.

Throughout this whole season, civil government, legislation, judicial proceedings, and commerical regulations, were in Massachusetts, to all appearance, annihilated. The provincial congress exercised all the semblance of government which existed. From their coincidence with the prevailing disposition of the people, their resolutions had the weight and efficacy of laws. Under the simple style of recommendation, they organized the militia, made ordinances respecting public monies, and such farther regulations as were necessary for preserving order, and for defending themselves against the British troops.

In this crisis it seemed to be the sense of the inhabitants of Massachusetts to wait events. They dreaded every evil that could flow from resistance, less than the operation of the late acts of parliament, but at the same time were averse to be the aggressors in bringing on a civil war. They chose to submit to a suspension of regular government, in preference to permitting the streams of justice to flow in the channel prescribed by the late acts of parliament, or to conducting them forcibly in the old one, sanctioned by their charter. From the extinction of the old, and the rejection of the new constitution, all regular government was for several months abolished. Some hundred thousands of people were in a state of nature, without legislation, magistrates, or executive officers: There was nevertheless a surprising degree of order. Men of the purest morals were among the most active opposers of Great Britain. While municipal laws ceased to operate, the laws of reason, morality, and religion, bound the people to each other as a social band, and preserved as great a degree of decorum as had at any time prevailed. Even those who were opposed to the proceedings of the populace, when they were prudent and moderate, for the most part enjoyed safety both at home and abroad.

Though there were no civil officers, there was an abundance of military ones. These were chosen by the people,

people, but exercised more authority than any who had been honoured with commissions from the governor. The inhabitants of every place devoted themselves to arms. Handling the musket, and training, were the fashionable amusements of the men, while the women by their presence encouraged them to proceed. The sound of drums and fifes was to be heard in all directions. The young and the old were fired with a martial spirit. On experiment it was found, that to force on the inhabitants a form of government to which they were totally averse, was not within the fancied omnipotence of parliament.

During these transactions in Massachusetts, effectual measures had been taken by the colonies for convening a continental congress. Though there was no one entitled to lead in this business, yet in consequence of the general impulse on the public mind, from a sense of common danger, not only the measure itself, but the time and place of meeting, were with surprising unanimity agreed upon. The colonies, though formerly agitated with local prejudices, jealousies, and aversions, were led to assemble together in a general diet, and to feel their weight and importance in a common union. Within four months from the day on which the first intelligence of the Boston port bill reached America, the deputies of eleven provinces had convened in Philadelphia, and in four days more, by the arrival of delegates from North-Carolina, there was a complete representation of twelve colonies, containing three millions of people, disseminated over 260,000 square miles of territory. Some of the delegates were appointed by the constitutional assemblies; in other provinces, where they were embarrassed by royal governors, the appointments were made in voluntary meetings of the people. Perhaps there never was a body of delegates more faithful to the interest of their constituents than the congress of 1774. The public voice elevated none to a seat in that august assembly, but such as, in addition to considerable abilities, possessed that ascendancy over the minds of their fellow-citizens, which can neither be acquired by birth nor purchased by wealth. The instructions given to these deputies were various, but in general they contained strong professions of loyalty,

alty, and of constitutional dependance on the mother-country. The framers of them acknowledged the prerogatives of the crown, and disclaimed every wish of separation from the parent state. On the other hand, they were firm in declaring that they were entitled to all the rights of British-born subjects, and that the late acts respecting Massachusetts were unconstitutional and oppressive.

They particularly stated their grievances, and for the most part concurred in authorising their deputies to concert and agree to such measures in behalf of their constituents, as in their joint opinion would be most likely to obtain a redress of American grievances, ascertain American right on constitutional principles, and establish union and harmony between Great Britain and the colonies. Of the various instructions on this occasion, those which were drawn up by a convention of delegates from every county in the province of Pennsylvania, and presented by them in a body to the constitutional assembly, were the most precise and determinate. By these it appears, that the Pennsylvanians were disposed to submit to the acts of navigation, as they then stood, and also to settle a certain annual revenue on his majesty, his heirs and successors, subject to the control of parliament, and to satisfy all damages done to the East India company, provided their grievances were redressed, and an amicable compact was settled, which, by establishing American rights in the manner of a new magna charta, would have precluded future disputes.

Of the whole number of deputies which formed the continental congress of 1774, one half were lawyers. Gentlemen of that profession had acquired the confidence of the inhabitants by their exertions in the common cause. The previous measures in the respective provinces had been planned and carried into effect, more by lawyers than by any other order of men. Professionally taught the rights of the people, they were among the foremost to decry every attack made on their liberties. Bred in the habits of public speaking, they made a distinguished figure in the meetings of the people, and were particularly

larly able to explain to them the tendency of the late acts of parliament. Exerting their abilities and influence in the cause of their country, they were rewarded with its confidence.

On the meeting of congress, they chose Peyton Randolph their president, and Charles Thompson their secretary. They agreed, as one of the rules of their doing business, that no entry should be made on their journals of any propositions discussed before them, to which they did not finally assent.

This august body, to which all the colonies looked up for wisdom and direction, had scarcely been convened, when a dispute arose about the mode of conducting business, which alarmed the friends of union. It was contended by some, that the votes of the small provinces should not count as much as those of the larger ones. This was argued with some warmth, and invidious comparisons were made between the extensive dominion of Virginia, and the small colonies of Delaware and Rhode-Island. The impossibility of fixing the comparative weight of each province, from the want of proper materials, induced congress to resolve, that each should have one equal vote. The mode of conducting business being settled, two committees were appointed: One, to state the rights of the colonies, the several instances in which these rights had been violated, and the means most proper to be pursued for obtaining a restoration of them; the other, to examine and report the several statutes which affected the trade and manufactures of the colonies. The first committee were farther instructed to confine themselves to the consideration of such rights as had been infringed since the year 1763.

Congress, soon after their meeting, agreed upon a declaration of their rights, by which it was, among other things, declared, that the inhabitants of the English colonies in North America, by the immutable laws of nature, the principles of the English constitution, and the several charters or compacts, were entitled to life, liberty, and property; and that they had never ceded to any sovereign power whatever, a right to dispose of either,

without their consent. That their ancestors, who first settled the colonies, were entitled to all the rights, liberties, and immunities of free and natural-born subjects within the realm of England, and that by their migrating to America, they by no means forfeited, surrendered, or lost any of those rights ;—that the foundation of English liberty, and of all free government, was a right in the people to participate in their legislative council, and that as the English colonists were not, and could not be properly represented in the British parliament, they were entitled to a free and exclusive power of legislation in their several provincial legislatures, in all cases of taxation and internal polity, subject only to the negative of their sovereign. They then run the line between the supremacy of parliament, and the independency of the colonial legislatures by provisos and restrictions, expressed in the following words : “ But from the necessity of the case, and a regard to the mutual interests of both countries, we cheerfully consent to the operation of such acts of the British parliament, as are *bona fide* restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother-country, and the commercial benefits of its respective members, excluding every idea of taxation, internal and external, for raising a revenue on the subjects in America without their consent.”

This was the very hinge of the controversy. The absolute unlimited supremacy of the British parliament, both in legislation and taxation, was contended for on one side; while on the other, no farther authority was conceded than such a limited legislation, with regard to external commerce, as would combine the interest of the whole empire. In government, as well as in religion, there are mysteries, from the close investigation of which little advantage can be expected. From the unity of the empire it was necessary that some acts should extend over the whole. From the local situation of the colonies it was equally reasonable that their legislatures should at least in some matters be independent. Where the supremacy of the first ended and the independency of the last began, was

to the best-informed a puzzling question. Happy would it have been for both countries, had the discussion of this doubtful point never been attempted.

Congress also resolved, that the colonists were entitled to the common law of England, and more especially to the privilege of being tried by their peers of the vicinage: That they were entitled to the benefit of such of the English statutes as existed at the time of their colonization, and which they had found to be applicable to their local circumstances, and also to the immunities and privileges granted and confirmed to them by royal charters, or secured by provincial laws: That they had a right peaceably to assemble, consider of their grievances, and petition the king: That the keeping a standing army in the colonies, without the consent of the legislature of the colony where the army was kept, was against law: That it was indispensably necessary to good government, and rendered essential by the English constitution, that the constituent branches of the legislature be independent of each other, and that therefore the exercise of legislative powers, in several colonies, by a council appointed during pleasure by the crown, was unconstitutional, dangerous and destructive to the freedom of American legislation. And these liberties, congress, in behalf of themselves and their constituents, claimed, demanded, and insisted upon as their indubitable rights, which could not be legally taken from them, altered, or abridged by any power whatever without their consent. Congress then resolved, that sundry acts which had been passed in the reign of George the Third, were infringements and violations of the rights of the colonists, and that the repeal of them was essentially necessary, in order to restore harmony between Great Britain and the colonies. The acts complained of were as follows: The several acts of 4 George III. ch. 15, and ch. 34; 5 George III. ch. 25; 6 George III. ch. 52; 7 George III. ch. 41. and ch. 46; 8 George III. ch. 22. which imposed duties for the purpose of raising a revenue in America, extended the power of the admiralty courts beyond their ancient limits, deprived the American subject of trial by jury,

authorised the judge's certificate to indemnify the prosecutor from damages, that he might otherwise be liable to, —and required oppressive security from a claimant of ships and goods seized before he was allowed to defend his property.

Also 12 George III. ch. 24, entitled, "An act for the better securing his majesty's dock-yards, magazines, ships, ammunition, and stores," which declares a new offence in America, and deprives the American subjects of a constitutional trial by jury of the vicinage, by authorising the trial of any person charged with the committing any offence described in the said act out of the realm, to be indicted and tried for the same in any shire or county within the realm.

Also the three acts passed in the last session of parliament for stopping the port and blocking up the harbour of Boston, for altering the charter and government of Massachusetts Bay, and that which is entitled, "An act for the better administration of justice, &c."

Also the act passed in the same session, for establishing the Roman catholic religion in the province of Quebec, abolishing the equitable system of English laws, and erecting a tyranny there to the great danger (from so total a dissimilarity of religion, law, and government) of the neighbouring British colonies, by the assistance of whose blood and treasure the said country had been conquered from France.

Also the act passed in the same session, for the better providing suitable quarters for officers and soldiers in his majesty's service in North America.

Also the keeping a standing army in several of these colonies in time of peace, without the consent of the legislature of that colony in which such army was kept, was affirmed to be against law.

Congress declared, that they could not submit to these grievous acts and measures. But in hopes that their fellow-subjects in Great Britain would restore the colonies to that state in which both countries found happiness and prosperity, they resolved for the present only to pursue the following peaceable measures: 1st, To enter into a non-

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non-importation, non-consumption, and non-exportation agreement or association; 2d, To prepare an address to the people of Great Britain, and a memorial to the inhabitants of British America; and 3dly, To prepare a loyal address to his majesty.

By the association they bound themselves and their constituents, "from and after the first day of December next, not to import into British America, from Great Britain or Ireland, any goods, wares, or merchandize, whatsoever; not to purchase any slave, imported after the said first day of December; not to purchase or use any tea, imported on account of the East India company, or any on which a duty hath been or shall be paid; and from and after the first day of the next ensuing March, neither to purchase nor use any East India tea whatever. That they would not after the tenth day of the next September, if their grievances were not previously redressed, export any commodity whatsoever to Great Britain, Ireland, or the West Indies, except rice to Europe. That the merchants should, as soon as possible, write to their correspondents in Great Britain and Ireland, not to ship any goods to them on any pretence whatever; and if any merchant there should ship any goods for America, in order to contravene the non-importation agreement, they would not afterwards have any commercial connexion with such merchant; that such as were owners of vessels, should give positive orders to their captains and masters, not to receive on board their vessels any goods prohibited by the said non-importation agreement; that they would use their endeavours to improve the breed of sheep, and increase their numbers to the greatest extent; that they would encourage frugality, economy, and industry, and promote agriculture, arts, and American manufactures; they would discountenance and discourage every species of extravagance and dissipation, and that on the death of relations or friends, they would wear no other mourning than a small piece of black crape or ribbon; that such as were venders of goods, should not take any advantage of the scarcity so as to raise their prices; that if any person should import goods after the first day of December,

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and before the first day of February, then next ensuing, the same ought to be immediately re-shipped or delivered up to a committee to be stored or sold: In the last case, all the clear profits to be applied towards the relief of the inhabitants of Boston; and that if any goods should be imported after the first day of February then next ensuing, they should be sent back without breaking any of the packages; that committees be chosen in every county, city, and town, to observe the conduct of all persons touching the association, and to publish in Gazettes, the names of the violaters of it, as foes to the rights of British America; that the committees of correspondence in the respective colonies frequently inspect the entries of their custom-houses, and inform each other from time to time of the true state thereof; that all manufactures of America should be sold at reasonable prices; and no advantage be taken of a future scarcity of goods; and lastly, that they would have no dealings or intercourse whatever, with any province or colony of North America, which should not accede to, or should violate the aforesaid associations." These several resolutions they bound themselves and their constituents by the sacred ties of virtue, honour, and love of their country, to observe till their grievances were redressed.

In their address to the people of Great Britain they complimented them for having at every hazard maintained their independence, and transmitted the rights of man and the blessings of liberty to their posterity, and requested them not to be surprised, that they who were descended from the same common ancestors should refuse to surrender their rights, liberties, and constitution. They proceeded to state their rights and their grievances, and to vindicate themselves from the charge of being seditious, impatient of government, and desirous of independency. They summed up their wishes in the following words: "Place us in the same situation that we were at the close of the last war, and our former harmony will be restored."

In the memorial of congress to the inhabitants of the British colonies, they recapitulated the proceedings of
Great

Great Britain against them since the year 1763, in order to impress them with a belief that a deliberate system was formed for abridging their liberties. They then proceeded to state the measures they had adopted to counteract this system, and gave the reasons which induced them to adopt the same. They encouraged them to submit to the inconveniencies of non-importation and non-exportation, by desiring them "to weigh in the opposite balance the endless miseries they and their descendants must endure from an established arbitrary power." They concluded with informing them, "that the schemes agitated against the colonies had been so conducted as to render it prudent to extend their views to mournful events, and to be in all respects prepared for every contingency."

In the petition of congress to the king, they begged leave to lay their grievances before the throne. After a particular enumeration of these, they observed that they wholly arose from a destructive system of colony administration adopted since the conclusion of the last war. They assured his majesty that they had made such provision for defraying the charges of the administration of justice, and the support of civil government, as had been judged just and suitable to their respective circumstances: and that for the defence, protection, and security of the colonies, their militia would be fully sufficient in time of peace, and in case of war they were ready and willing, when constitutionally required, to exert their most strenuous efforts in granting supplies and raising forces. They said, "We ask but for peace, liberty, and safety. We wish not a diminution of the prerogative, nor do we solicit the grant of any new right in our favour. Your royal authority over us, and our connexion with Great Britain, we shall always carefully and zealously endeavour to support and maintain." They then solicited for a redress of their grievances, which they had enumerated, and appealing to that Being who searches thoroughly the hearts of his creatures, they solemnly professed, "that their counsels had been influenced by no other motives than a dread of impending destruction." They concluded with imploring his majesty, "for the honour

nour of Almighty God, for his own glory, for the interest of his family, for the safety of his kingdoms and dominions, that as the loving father of his whole people, connected by the same bonds of law, loyalty, faith, and blood, though dwelling in various countries, he would not suffer the transcendent relation formed by these ties, to be farther violated by uncertain expectation of effects, that, if attained, never could compensate for the calamities through which they must be gained."

The congress also addressed the French inhabitants of Canada. In this they stated the right they had, on becoming English subjects, to the benefits of the English constitution. They explained what these rights were, and pointed out the difference between the constitution imposed on them by act of parliament, and that to which as British subjects they were entitled. They introduced their countryman Montesquieu, as reprobating their parliamentary constitution, and exhorting them to join their fellow-colonists in support of their common rights. They earnestly invited them to join with the other colonies in one social compact, formed on the generous principles of equal liberty, and to this end recommended that they would chuse delegates to represent them in congress.

All these addresses were written with uncommon ability. Coming from the heart, they were calculated to move it. Inspired by a love of liberty, and roused by a sense of common danger, the patriots of that day spoke, wrote, and acted with an animation unknown in times of public tranquillity; but it was not so much on the probable effect of these addresses, that congress founded their hopes of obtaining a redress of their grievances, as on the consequences which they expected from the operation of their non-importation and non-exportation agreement. The success that had followed the adoption of a measure similar to the former, in two preceding instances, had encouraged the colonists to expect much from a repetition of it. They indulged in extravagant opinions of the importance of their trade to Great Britain. The measure of a non-exportation of their commodities was a new expedient, and from that, even more was expected than from

from the non-importation agreement. They supposed that it would produce such extensive distress among the merchants and manufacturers of Great Britain, and especially among the inhabitants of the British West India islands, as would induce their general co-operation in procuring a redress of American grievances. Events proved that young nations, like young people, are prone to over-rate their own importance.

Congress having finished all this important business, in less than eight weeks dissolved themselves *, after giving their opinion, "that another congress should be held on the 10th of May next ensuing at Philadelphia, unless the redress of their grievances should be previously obtained;" and recommending "to all the colonies to chuse deputies as soon as possible, to be ready to attend at that time and place, should events make their meeting necessary."

On the publication of the proceedings of congress, the people obtained that information which they desired. Zealous to do something for their country, they patiently waited for the decision of that body to whose direction they had resigned themselves. Their determinations were no sooner known, than they were cheerfully obeyed. Though their power was only advisory, yet their recommendations were more generally and more effectually carried into execution than the laws of the best-regulated states. Every individual felt his liberties endangered, and was impressed with an idea that his safety consisted in union. A common interest in warding off a common danger, proved a powerful incentive to the most implicit submission. Provincial congresses and subordinate committees were every-where instituted. The resolutions of the continental congress were sanctioned with the universal approbation of these new representative bodies, and institutions were formed under their direction to carry them into effect.

The regular constitutional assemblies also gave their assent to the measures recommended. The assembly of

* October 26.

New-York was the only legislature which withheld its approbation. Their metropolis had long been the head quarters of the British army in the colonies, and many of their best families were connected with people of influence in Great Britain. The unequal distribution of their land fostered an aristocratic spirit. From the operation of these and other causes, the party for royal government was both more numerous and respectable in New-York than in any of the other colonies.

The assembly of Pennsylvania, though composed of a majority of Quakers, or of those who were friendly to their interest, was the first legal body of representatives that ratified unanimously the acts of the general congress. They not only voted their approbation of what that body had done, but appointed members to represent them in the new congress, proposed to be held on the 10th day of May next ensuing, and took steps to put the province in a posture of defence.

To relieve the distresses of the people of Boston, liberal collections were made throughout the colonies, and forwarded for the supply of their immediate necessities. Domestic manufactures were encouraged, that the wants of the inhabitants from the non-importation agreement might be diminished, and the greatest zeal was discovered by a large majority of the people, to comply with the determinations of these new-made representative bodies. In this manner, while the forms of the old government subsisted, a new and independent authority was virtually established. It was so universally the sense of the people, that the public good required a compliance with the recommendations of congress, that any man who discovered an anxiety about the continuance of trade and business was considered as a selfish individual, preferring private interest to the good of his country. Under the influence of these principles, the intemperate zeal of the populace transported them frequently so far beyond the limits of moderation, as to apply singular punishment to particular persons who contravened the general sense of the community.

Some time before the proceedings of congress reached England, it was justly apprehended that a non-importation agreement would be one of the measures they would adopt. The ministry, apprehending that this event, by distressing the trading and manufacturing towns, might influence votes against the court, in the election of a new parliament, which was of course to come on in the succeeding year, suddenly dissolved the parliament, and immediately ordered a new one to be chosen. It was their design to have the whole business of elections over, before the inconveniencies of a non-importation agreement could be felt. The nation was thus surprised into an election without knowing that the late American acts had driven the colonies into a firm combination, to support, and make a common cause with the people of Massachusetts. A new parliament was returned, which met in thirty-four days after the proceedings of congress were first published in Philadelphia, and before they were known in Great Britain. This, for the most part, consisted either of the former members, or of those who held similar sentiments.

The importance of the contest which now opened to the eyes of Englishmen is such, that the historian finds but little leisure or inclination to inquire into the state of foreign affairs. The most interesting occurrence which took place on the continent of Europe in the course of the year 1774, was the death of Louis XVth of France, who expired on the 10th of May, after a protracted reign of 59 years. Enervated by a course of debauchery the most degrading to human nature, the latter years of this monarch passed away in a manner, which to relate minutely would only be productive of disgust; while the kingdom of France was governed, or rather plundered, by the basest of prostitutes, and ministers, who (though of noble extraction) degraded themselves by appearing in the despicable character of parasites and panders to these lewd and unprincipled women. He was succeeded by his grandson, the ill-fated Louis XVIth, then not more than twenty years of age; a prince of amiable manners, but whose education in a corrupt court, but ill fitted him for

the arduous part he was destined to act; and who, carrying with him to a popular assembly the duplicity and finesse which he had imbibed from infancy in that vitiated circle, at length expiated by his blood the crimes of his forefathers, and the errors of those councils in which early habits, and an unfortunate German connexion, had involved him.

The young king however commenced his reign with some popularity. The restoration of the parliaments, which had been banished by his grandfather, endeared him to the people; and the removal of the old ministers, and the recal of the count de Maurepas, the friend and confident of his father, manifested a disposition to consult and pursue the real interests of his country.

This year was also remarkable for the death of the famous pope Clement XIV. better known by the name of Ganganelli, not without strong suspicions of poison from the malignity of the jesuits, in revenge for the abolition of their order; though his gradual decline is, perhaps with more justice, attributed by the opposite party to the influence of terror*.

In the month of July a treaty of peace was concluded at Kainargiac, between the Turks and Russians, on the humiliating terms of the former ceding to the latter the whole country between the Bog and the Nieper, of consenting to the independency of the Crimea, and permitting to the Russians the free navigation of all the Turkish seas, including the passage of the Dardanelles.

* See Dr. Gregory's Hist. of the Christian Church, cent. 18.

C H A P. X.

Meeting of the new parliament—Lord Chatham's motion for the recal of the troops from America rejected—Petitions—Lord Chatham's conciliatory plan—Measures of ministry for reducing America—Lord Rockingham's motion—Restraining bill—Lord North's pretended plan of conciliation—Motions relative to triennial parliaments and Middlesex election—Bill for restraining the trade of the Southern colonies—Mr. Burke's and Mr. Hartley's conciliatory motions—Dr. Franklin's conciliatory plan—Petitions—State of affairs in America—Battle of Lexington—Battle of Bunker's Hill—Meeting and proceedings of congress—General Washington appointed commander in chief—His character—Expedition to Canada—Forts taken—Quebec besieged—General Montgomery defeated and killed—Proceedings in the South—Lord Dunmore quits his government—Norfolk burnt.

[A. D. 1774, 1775.]

THE people of Great Britain are remarkable for two qualities, the eager and sanguine pursuit of a present object, and an almost total inattention to future prospects. Thus, while the proceedings of the American congress, which obviously foreboded the ultimate separation of the colonies from the mother-country, occupied but little of their attention; the whole nation was engaged with such frivolous objects as the securing of a seat for Mr. Wilkes for Middlesex, and other petty views relative to the business of the general election. It would be no difficult task for any statesman, perhaps, to abstract at any time the whole attention of this people from any great general subject, by engaging it in some unimportant dispute; by setting the different parties at variance, or exhibiting any spectacle to interest their curiosity.

On the 30th of November, the king, in his speech to his new parliament, informed them, "that a most daring spirit of resistance and disobedience to the laws unhappily prevailed in the province of Massachusetts, and had broken forth in fresh violences of a very criminal na-

ture, and that these proceedings had been countenanced and encouraged in his other colonies, and unwarrantable attempts had been made to obstruct the commerce of his kingdoms by unlawful combinations, and that he had taken such measures, and given such orders, as he judged most proper and effectual for carrying into execution the laws which were passed in the last session of the late parliament, relative to the province of Massachusetts."

An address which was proposed in the house of commons in answer to this speech, produced a warm debate. The minister was reminded of the great effects he had predicted from the late American acts: "They were to humble that whole continent without farther trouble, and the punishment of Boston was to strike so universal a panic on all the colonies, that it would be totally abandoned, and instead of obtaining relief, a dread of the same fate would awe the other provinces to a most respectful submission."

As the address, which was moved, seemed to many of the opposition to imply an approbation of the acts which they had been at some pains to prevent, it was debated at considerable length, whether or not his majesty should immediately be requested, that he would be graciously pleased to communicate the whole intelligence he had received from America, and the letters, orders, and instructions upon that business. This information the minority demanded as absolutely necessary, before they could give judgment on the conduct of measures at home, or the posture of affairs in America: Without this deliberation, the world would conclude, that the new parliament had servilely followed the plans of the old without examination, and without the least regard for the interest of the colonies. Severe reflections were thrown out against the last parliament, and that unmeaning arrogance which seemed to promise so much from their hasty determinations. To this it was answered, that as addresses were mere matters of course, they in no degree affected future considerations, when American affairs might be introduced with more propriety; in the mean time, said the minister, as America has made no offers of reconciliation, shall Britain submit to concessions? When
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a division was called for, the numbers were 264, who voted for the address as it originally stood, and 73 who voted for the amendment; so that the strength of opposition was not greater than it had been in the former parliament. In the house of lords opposition was equally weak, on a debate of a similar nature, and conducted by similar arguments; for only thirteen appeared for the amendment, and sixty-three against it. Nine of the former number joined in a protest, the first ever known to have been drawn up against an address. It concludes with these words: "It affords us a melancholy prospect of the disposition of lords in the present parliament, when we see the house, under the pressure of *so severe and uniform an experience*, again ready, without any inquiry, to countenance, if not to adopt, the spirit of former fatal proceedings. But whatever may be the mischievous designs, or the inconsiderate temerity, which leads others to this desperate course, we wish to be known as persons who have ever disapproved of measures so pernicious in their past effects, and their future tendency, and who are not in haste, without inquiry or information, to commit ourselves in declarations which may precipitate our country into all the calamities of a civil war."

For some years past it had been customary to form the national estimates in direct contradiction to the avowed state of the nation. When the speech gave assurances of perfect tranquillity, the estimates were formed upon a war establishment, and now when hostilities were confessed, the estimates were formed upon a peace establishment. Such absurdities could not fail to call up the gentlemen in opposition, who were the more warm on this occasion, as the minister declined any attempt to settle the business of America, or to listen to any proposals for laying a state of those matters before the house. A reduction of 4000 seamen took place, as the first lord of the admiralty declared we were incontestably superior to any force which the Americans could possibly raise from a rabble of undisciplined men.

The parliament adjourned for the Christmas holidays without coming to any decision on American affairs. As

soon as they met, in January 1775, a number of papers containing information were laid before them. These were mostly letters from governors and other servants of his majesty, which detailed the opposition of the colonists in language calculated to give a bad impression of their past conduct, and an alarming one of their future intentions.

It was a circumstance unfavourable to the lovers of peace, that the rulers of Great Britain received almost the whole of their American intelligence from those who had an interest in deceiving them. Governors, judges, revenue-officers, and other royal servants, being both appointed and paid by Great Britain, fancied that zeal for the interest of that country would be the most likely means to ensure their farther promotion. They were, therefore, in their official despatches to government, often tempted to abuse the colonists, with a view of magnifying their own vigilance, and recommending themselves to Great Britain. The plain simple language of truth was not acceptable to courtly ears. Ministers received and caressed those, and those only, whose representations coincided with their own views and wishes. They who contended that, by the spirit of the English constitution, British subjects residing on one side of the Atlantic, were entitled to equal privileges with those who resided on the other, were unnoticed, while the abettors of ministerial measures were heard with attention.

In this hour of national infatuation, lord Chatham again resumed his seat in the house of lords, and exerted his unrivalled eloquence in various attempts to dissuade his countrymen from attempting to subdue the Americans by force of arms. The native dignity of his superior genius, and the recollection of his important services, entitled him to distinguished notice. His language, voice, and gesture, were calculated to force conviction on his hearers. Though venerable for his age, he spoke with the fire of youth. He introduced himself with some general observations on the importance of the American quarrel. He enlarged on the dangerous events that were coming on the nation in consequence of the present
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sent dispute. He arraigned the conduct of ministers with great severity, and reprobated their whole system of American politics.

At the same time he introduced a motion, which he conceived might tend to promote peace and reconciliation, and accompanied it with the following animated and pathetic address: "As I have not the honour," said his lordship, "of access to his majesty, I will endeavour to transmit to him, through the constitutional channel of this house, my ideas of America, to rescue him from the misadvice of his present ministers. I congratulate your lordships, that the business is *at last* entered upon, by the noble lord's * laying the papers before you. As I suppose your lordships too well apprized of their contents, I hope I am not premature, in submitting to you my present motion:

"That an humble address be presented to his majesty, humbly to desire and beseech his majesty, that in order to open the way towards a happy settlement of the dangerous troubles in America, by beginning to allay ferments and soften animosities there; and above all, for preventing in the mean time any sudden and fatal catastrophe at Boston, now suffering under the daily irritation of an army before their eyes, posted in their town; it may graciously please his majesty that immediate orders be despatched to general Gage, for removing his majesty's forces from the town of Boston, as soon as the rigour of the season, and other circumstances indispensable to the safety and accommodation of the said troops, may render the same practicable."

"I wish, my lords, not to lose a day in this urgent, pressing crisis; an hour now lost in allaying ferments in America, may produce years of calamity: For my own part, I will not desert, for a moment, the conduct of this weighty business, from the first to the last; unless nailed to my bed by the extremity of sickness, I will give it unremitting attention; I will knock at the door of this sleeping and confounded ministry, and will rouse them to a sense of the impending danger.

* Lord Dartmouth.

"When

“ When I state the importance of the colonies to this country, and the magnitude of danger hanging over this country, from the present plan of mis-administration practised against them, I desire not to be understood to argue for a reciprocity of indulgence between England and America. I contend not for indulgence, but justice to America; and I shall ever contend, that the Americans justly owe obedience to us in a limited degree---they owe obedience to our ordinances of trade and navigation; but let the line be skilfully drawn between the objects of those ordinances, and their private, internal property; let the sacredness of their property remain inviolate; let it be taxable only by their own consent, given in their provincial assemblies, otherwise *it will cease to be property*. As to the metaphysical refinements, attempting to show that the Americans are equally free from obedience and commercial restraints, as from taxation for revenue, as being unrepresented here; I pronounce them futile, frivolous, and groundless.

“ When I urge this measure of recalling the troops from Boston, I urge it on this pressing principle, that it is necessarily preparatory to the restoration of your peace, and the establishment of your prosperity. It will then appear that you are disposed to treat amicably and equitably; and to consider, revise, and repeal, if it should be found necessary, as I affirm it will, those violent acts and declarations which have disseminated confusion throughout your empire.

“ Resistance to your acts was necessary as it was just; and your vain declarations of the omnipotence of parliament, and your imperious doctrines of the necessity of submission, will be found equally impotent to convince or to enslave your fellow-subjects in America, who feel that tyranny, whether *ambitioned* by an individual part of the legislature, or the bodies * who compose it, is equally intolerable to British subjects.

“ The means of enforcing this thralldom are found to be as ridiculous and weak in practice, as they are unjust

* See note [A] at the end of the volume.

in principle. Indeed I cannot but feel the most anxious sensibility for the situation of general Gage, and the troops under his command; thinking him, as I do, a man of humanity and understanding; and entertaining, as I ever will, the highest respect, the warmest love, for the British troops. Their situation is truly unworthy; penned up---pining in inglorious inactivity. They are an army of impotence. You may call them an army of safety and of guard; but they are in truth an army of impotence and contempt: And, to make the folly equal to the disgrace, they are an army of irritation and vexation.

“ But I find a report creeping abroad, that ministers censure general Gage’s inactivity: Let them censure him---it becomes them---it becomes their justice and their honour. I mean not to censure his inactivity; it is a prudent and necessary inaction: But it is a miserable condition, where disgrace is prudence, and where it is necessary to be contemptible. This tameness, however contemptible, cannot be censured; for the first drop of blood shed in civil and unnatural war might be *immediabile vulnus*.

“ I therefore urge and conjure your lordships, immediately to adopt this conciliating measure. I will pledge myself for its immediately producing conciliatory effects, by its being thus well-timed: But if you delay till your vain hope shall be accomplished, of triumphantly dictating reconciliation, you delay for ever. But, admitting that this hope, which in truth is desperate, should be accomplished, what do you gain by the imposition of your victorious amity?---you will be untrusted and unthanked. Adopt, then, the grace, while you have the opportunity of reconciliation; or at least prepare the way. Allay the ferment prevailing in America, by removing the obnoxious, hostile cause---obnoxious and unserviceable; for their merit can be only in inaction; *non dimicare et vincere*,---their victory can never be by exertions. Their force would be most disproportionately exerted against a brave, generous, and united people, with arms in their hands, and courage in their hearts---three millions of people, the genuine descendants of a valiant and pious ancestry,
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driven to those deserts by the narrow maxims of a superstitious tyranny. And is the spirit of persecution never to be appeased? Are the brave sons of those brave forefathers to inherit their sufferings, as they have inherited their virtues? Are they to sustain the infliction of the most oppressive and unexampled severity, beyond the accounts of history, or description of poetry? *Rhadamanthus habet durissima regna, castigatque, auditque.* So says the wisest poet, and perhaps the wisest statesman and politician. But our ministers say, "The Americans must not be heard." They have been condemned unheard. The indiscriminate hand of vengeance has lumped together innocent and guilty; with all the formalities of hostility, has blocked up the town*, and reduced to beggary and famine thirty thousand inhabitants.

"But his majesty is advised, that the union in America cannot last. Ministers have more eyes than I, and should have more ears; but with all the information I have been able to procure, I can pronounce it—an union, solid, permanent, and effectual. Ministers may satisfy themselves, and delude the public, with the report of what they call commercial bodies in America. They are not commercial; they are your packers and factors; they live upon nothing—for I call commission nothing. I mean the ministerial authority for this American intelligence; the runners for government, who are paid for their intelligence. But these are not the men, nor this the influence, to be considered in America, when we estimate the firmness of their union. Even to extend the question, and to take in the really mercantile circle, will be totally inadequate to the consideration. Trade indeed increases the wealth and glory of a country; but its real strength and stamina are to be looked for among the cultivators of the land: In their simplicity of life is found the simpleness of virtue—the integrity and courage of freedom. These true genuine sons of the earth are invincible: And they surround and hem in the mercantile bodies; even if these bodies, which supposition I totally disclaim,

* Boston.

could be supposed disaffected to the cause of liberty. Of this general spirit existing in the British nation (for so I wish to distinguish the real and genuine Americans from the pseudo-traders I have described)---of this spirit of independence*, animating the nation of America, I have the most authentic information. It is not new among them; it is, and has ever been, their established principle, their confirmed persuasion; it is their nature, and their doctrine.

"I remember some years ago, when the repeal of the stamp-act was in agitation, conversing in a friendly confidence with a person of undoubted respect and authenticity, on that subject; and he assured me, with a certainty which his judgment and opportunity gave him, that these were the prevalent and steady principles of America---That you might destroy their towns, and cut them off from the superfluities, perhaps the conveniencies of life; but that they were prepared to despise your power, and would not lament their loss, whilst they have---what, my lords?---their woods and their liberty. The name of my authority, if I am called upon, will authenticate the opinion irrefragably†.

"If illegal violences have been, as it is said, committed in America; prepare the way, open the door of possibility, for acknowledgment and satisfaction: But proceed not to such coercion, such proscription; cease your indiscriminate inflictions; amerce not thirty thousand, oppress not three millions, for the fault of forty or fifty. Such severity of injustice must for ever render incurable the wounds you have already given your colonies: You irri-

* (*i. e.*) of *legal liberty*;—the *independence* of freemen, contra-distinguished to the *dependant* state of slaves. It was thought necessary to specify this idea, lest lord Chatham should have been misconceived to have imputed to America an original *wish of disconnexion* from this country. On the contrary, when that fatal event did occur, his lordship attributed it to a very different cause from the *inclination* of America -- "That state of *independency* into which your measures hitherto have driven her."

† It was Dr. Franklin.

tate them to unappeasable rancour. What though you march from town to town, and from province to province; though you should be able to enforce a temporary and local submission, which I only suppose, not admit---how will you be able to secure the obedience of the country you leave behind you in your progress, to grasp the dominion of eighteen hundred miles of continent, populous in numbers, possessing valour, liberty, and resistance?

“ This resistance to your arbitrary system of taxation might have been foreseen: It was obvious from the nature of things, and of mankind; and above all, from the whiggish spirit flourishing in that country. The spirit which now resists your taxation in America, is the same * which formerly opposed loans, benevolences, and ship-money, in England: The same spirit which called all England on its legs, and by the bill of rights vindicated the English constitution: The same spirit which established the great, fundamental, essential maxim of your liberties, *that no subject of England shall be taxed but by his own consent.*

“ This glorious spirit of whiggism animates three millions in America; who prefer poverty with liberty, to gilded chains and sordid affluence; and who will die in defence of their rights as men, as freemen. What shall oppose this spirit, aided by the congenial flame glowing in the breasts of every whig in England, to the amount, I hope, of double the American numbers? Ireland they have to a man. In that country, joined as it is with the cause of the colonies, and placed at their head, the distinction I contend for is and must be observed. This country superintends and controls their trade and

* Not so, according to the political logic of administration; which would prove the *teryism* of “ this American spirit.” In the debate for an address, on the first day of the session, Oct. 26, 1775, Mr. Fox urged, with his usual ability, what he conceived to be whig principles; principles consulting the good of the governed, rather than the governors; principles jealously securing the *rights of the people* against every encroachment of power; and these, he thought, had some relation to the cause and conduct of America.

navigation; but they tax themselves. And this distinction between external and internal control is sacred and insurmountable: It is involved in the abstract nature of things. Property is private, individual, absolute. Trade is an extended and complicated consideration: It reaches as far as ships can sail or winds can blow: It is a great and various machine. To regulate the numberless movements of its several parts, and combine them into effect, for the good of the whole, requires the superintending wisdom and energy of the supreme power in the empire. But this supreme power has no effect towards internal taxation; for it does not exist in that relation: There is no such thing, no such idea in this constitution, as a supreme power operating upon property. Let this distinction then remain for ever ascertained; taxation is theirs, commercial regulation is ours. As an American I would recognize to England her supreme right of regulating commerce and navigation: As an Englishman by birth and principle, I recognize to the Americans their supreme unalienable right in their property; a right which they are justified in the defence of to the last extremity. To maintain this principle, is the common cause of the whigs on the other side of the Atlantic, and on this. 'Tis liberty to liberty engaged, that they will defend themselves, their families, and their country. In this great cause they are immoveably allied: It is the alliance of God and nature—immutable, eternal—fixed as the firmament of heaven.

“To such united force, what force shall be opposed? What, my lords?—A few regiments in America, and seventeen or eighteen thousand men at home!—The idea is too ridiculous to take up a moment of your lordships' time. Nor can such a national and principled union be resisted by the tricks of office, or ministerial manœuvre. Laying of papers on your table, or counting numbers on a division, will not avert or postpone the hour of danger: It must arrive, my lords, unless these fatal acts are done away; it must arrive in all its horrors, and then these boastful ministers, in spite of all their confidence, and all their manœuvres, will be forced to hide their heads. They will be forced to a disgraceful abandonment of their present measures and principles, which they avow, but

cannot defend; measures which they presume to attempt, but cannot hope to effectuate. - They cannot, my lords, they cannot stir a step; they have not a move * left; they are check-mated.

" But it is not repealing this act of parliament, it is not repealing a piece of parchment, that can restore America to our bosom: You must repeal her fears and her resentments; and you may then hope for her love and gratitude. But now, insulted with an armed force, posted at Boston; irritated with an hostile array before her eyes, her concessions, if you could force them, would be suspicious and insecure; they will be *irato animo*; they will not be the sound honourable passions of freemen; they will be the dictates of fear, and extortions of force. But it is more than evident, that you cannot force them, principled and united as they are, to your unworthy terms of submission---it is impossible: And when I hear general Gage censured for inactivity, I must retort with indignation on those, whose intemperate measures and improvident councils have betrayed him into his present situation. His situation reminds me, my lords, of the answer of a French general in the civil wars of France---Monsieur Condé opposed to Monsieur Turenne: He was asked, how it happened that he did not take his adversary prisoner, as he was often very near him: " *J'ai peur,*" replied Condé, very honestly, "*j'ai peur qu'il ne me prenne;*"---I'm afraid he'll take me.

" When your lordships look at the papers transmitted us from America; when you consider their decency, firmness, and wisdom, you cannot but respect their cause, and wish to make it your own. For myself, I must declare and avow, that in all my reading and observation---and it has been my favourite study---I have read Thucydides, and have studied and admired the master-states of the world---that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such a complication of difficult circumstances, no nation, or body of men, can stand in preference to the general congress at Philadelphia. I trust it is obvious to your lordships,

* See note [B] at the end of the volume.

that all attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain, must be fatal. We shall be forced ultimately to retract; let us retract while we can, not when we must. I say we must necessarily undo these violent oppressive acts*: They must be repealed;---you will repeal them; I pledge myself for it, that you will in the end repeal them; I stake my reputation on it: I will consent to be taken for an idiot, if they are not finally repealed. Avoid, then, this humiliating, disgraceful necessity. With a dignity becoming your exalted situation, make the first advances to concord, to peace, and happiness: For that is your true dignity, to act with prudence and justice. That you should first concede, is obvious, from sound and rational policy. Concession comes with better grace and more salutary effect from superior power; it reconciles superiority of power with the feelings of men; and establishes solid confidence on the foundations of affection and gratitude.

“ So thought a wise poet and a wise man in political sagacity; the friend of Mæcenas, and the eulogist of Augustus. To him, the adopted son and successor, the first Cæsar, to him, the master of the world, he wisely urged this conduct of prudence and dignity; *Tuque prior, tu parce; projice tela manu.*

“ Every motive, therefore, of justice and of policy, of dignity and of prudence, urges you to allay the ferment in America---by a removal of your troops from Boston, by a repeal of your acts of parliament---and by demonstration of amicable dispositions towards your colonies. On the other hand, every danger and every hazard impend, to deter you from perseverance in your present ruinous measures. Foreign war hanging over your heads by a

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flight and brittle thread: France and Spain watching your conduct, and waiting for the maturity of your errors;--- with a vigilant eye to America, and the temper of your colonies, more than to their own concerns, be they what they may.

“ To conclude, my lords: If the ministers thus persevere in misadvising and misleading the king, I will not say, that they can alienate the affections of his subjects from his crown; but I will affirm, that they will make the crown not worth his wearing: I will not say that the king is betrayed; but I will pronounce that the kingdom is undone.”

The cabinet, however, having determined on coercive measures, they declared that the mother-country should not relax till America confessed her supremacy; and that obedience should be required by arms. The majority was 68, the minority only 18, among whom was his royal highness the duke of Cumberland.

When the American papers were brought under the consideration of the lower house, it was moved that the petition from the trading companies in the kingdom should be likewise referred to the committee; but the ministry endeavoured to prevent this, by establishing a distinction between the commercial views of the petitioners, and the political views of parliament, and proposed a separate committee for the consideration of the merchants' petitions, as the committee for considering the American papers would have no time for such deliberations as might produce speedy redress, if interrupted and embarrassed by numerous petitions. Opposition, on the other hand, declared this to be worse than a rejection of the petitions, and termed the proposed committee a *committee of oblivion*; but no opposition was effectual, for the numbers in favour of this proposal were more than two to one, and petitions from Bristol, Glasgow, &c. &c. were referred to the committee of oblivion.

The 27th of January being appointed for the consideration of the American papers, the London merchants, in their second petition, endeavoured to connect the commercial and political interests of the nation more nearly than

than the ministry had been willing to allow, alleging that the original connexion of America with the mother-country, and the benefits resulting from it, were of a commercial kind, and of course the propriety or impropriety of the late regulations were questions inseparably united with the commerce between Great Britain and America. After lamenting the late decision by which their petition was referred to a separate committee, and virtually rejected, they entreated to be heard by themselves or their agents, in support of their former petition. In consequence of this request, the minority resumed their former arguments in favour of the petitions, and moved that the obnoxious order for referring their petitions to a separate committee should be discharged. To negligence the minister added injustice, to incapacity want of reason, and to specious pretences of expediency, the grossest inconsistency. These defects in the members of administration destroyed trade, made the middling classes beggars, and the revenue poor, and were the causes of the many miseries that could not fail to ensue from the business of last year. And, as if the measure of England's disgrace had not been full, ministry now offered the greatest indignity to the mercantile, and most important part of the people, by treating their petitions with a rudeness uncommon at all times, unwise at this critical period, and not warranted by any arguments from reason, law, justice, or necessity. By refusing these petitions, the committee for the consideration of American affairs must err for want of information, and if any thing could be more fatal than such ignorance, it was the delay which protracted the consideration until perhaps it might be out of their power to prevent a civil war, or put a stop to what advances might reasonably be supposed to have been made in that distressed country. The ministerial party answered, that the merchants ought not to be wanting in that confidence which they were wont to place in parliament, without the supremacy of which, England derived destruction rather than benefit from her commerce with America; and if, in asserting this supremacy, commerce should be interrupted, surely they ought quietly to bear

the inconvenience, who would be the greatest gainers by the establishment of the rights of sovereignty. They farther insinuated, that the voice of faction had proved a powerful means for making many of the merchants subscribe the petitions. The delay of the consideration of American affairs proceeded from a report, that a petition from the congress was on its way to England, and which was of a conciliatory tendency. But when lord North, in defending his conduct against the attacks pointed at himself in particular, by maintaining, that he could not foresee the mischiefs from the exportation of the East India company's tea, and that he did it merely to serve that company, he was silenced by a gentleman belonging to the company, who begged to remind his lordship of the warning he had given him concerning the exportation of the tea, and repeated, that laying a duty on the tea in America, and granting a drawback in England, was a solecism in commerce and in politics, and an absurdity which had been reprobated when first proposed. On a division, however, there appeared 250 who opposed rescinding the resolution relative to the petitions, and only 89 who supported the motion; and when Mr. Bollan, Dr. Franklin, and Mr. Lee offered a petition, stating, that they were authorised by the American congress to present a petition to the king, the offer was rejected by a prodigious majority, who denied the legality of the congress, and refused to listen to any mode of reasoning which tended to represent the danger of rejecting petitions from bodies of individuals, a measure that would infallibly end in rebellion. The merchants of London now were determined not to present their petitions, or submit their affairs to the committee of oblivion, and one of their number acquainted the house "that merchants revealing at that bar the state of their affairs, was a measure which all would wish to avoid, unless upon such great occasions as the present, where the public weal is evidently at stake, when their duty as good subjects requires it of them; but when the mode of examination is such as totally precludes them from answering the great public object, which in their opinion is clearly the case

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at present, they beg leave humbly to signify, that they wave appearing before the committee which has been appointed; and that the merchants are not under any apprehensions respecting their American debts, unless the means of remittance should be cut off by measures that may be adopted in Great Britain."

In the course of the debate on lord Chatham's motion for addressing his majesty to withdraw his troops from Boston, it had been observed by some lords in administration, that it was common and easy to censure their measures, but those who did so, proposed nothing better. Lord Chatham answered, that he should not be one of those idle censurers; that he had thought long and closely upon the subject, and purposed soon to lay before their lordships the result of his meditations, in a plan for healing the differences between Great Britain and the colonies, and for restoring peace to the empire. When he had matured his plan, he introduced it into the house in the form of a bill for settling the troubles in America. In this he proposed that the colonists should make a full acknowledgment of the supremacy of the legislature, and the superintending power of the British parliament. The bill ~~is~~ not absolutely decide on the right of taxation, but partly as a matter of grace, and partly as a compromise, declared and enacted, "that no tollage tax, or other charge, should be levied in America, except by common consent in their provincial assemblies." It asserted the right of the king to send a legal army to any part of his dominions at all times, but declared, "that no military force could ever be lawfully employed to violate or destroy the just rights of the people." It also legalised the holding of a congress in the ensuing May for the double purpose "of recognising the supreme legislative authority, and superintending power of parliament over the colonies, and for making a free grant to the king, his heirs and successors, of a certain and perpetual revenue subject to the disposition of parliament, and applicable to the alleviation of the national debt." On these conditions the bill proposed, "to restrain the powers of the admiralty courts to their ancient limits, and suspend for a limited time

time those acts which had been complained of by congress." It proposed to place the judges in America on the same footing, as to the holding of their salaries and offices, with those in England, and secured to the colonies all the privileges, franchises, and immunities, granted by their several charters and constitutions. His lordship introduced this plan with a speech, in which he explained and supported every part of it. When he sat down, lord Dartmouth rose and said, "it contained matter of such magnitude as to require consideration, and therefore hoped, that the noble earl did not expect their lordships to decide upon it by an immediate vote, but would be willing it should lie on the table for consideration." Lord Chatham answered, "that he expected no more;" but lord Sandwich rose, and in a petulant speech opposed its being received at all, and gave his opinion, "that it ought immediately to be rejected with the contempt it deserved. That he could not believe it to be the production of any British peer—that it appeared to him rather the work of some American," and turning his face towards Dr. Franklin, who was leaning on the ~~byr~~, said, "he fancied he had in his eye the person who ~~shew~~ it up, one of the bitterest and most mischievous ~~enemies~~ enemies this country had ever known. This turned the eyes of many lords on the insulted American, who, with that self-command which is peculiar to great minds, kept his countenance unmoved. Several other lords of the administration gave their sentiments also, for rejecting lord Chatham's conciliatory bill, urging that it not only gave a sanction to the traiterous proceedings of the congress already held, but legalised their future meeting. They enlarged on the rebellious temper and hostile disposition of the Americans, and said, "that, though the duty on tea was the pretence, the restrictions on their commerce, and the hopes of throwing them off, were the real motives of their disobedience; and that to concede now, would be to give up the point for ever."

The dukes of Richmond and Manchester, lord Camden, lord Lyttelton, and others, were for receiving lord Chatham's conciliatory bill—some from approbation of
its

its principles, but others only from a regard to the character and dignity of the house.

Lord Dartmouth, who from indecision rarely had any will or judgment of his own, and who, with dispositions for the best measures, could be easily prevailed upon to join in support of the worst, finding the opposition from his coadjutors in administration unexpectedly strong, turned round and gave his voice with them for immediately rejecting the plan. Lord Chatham, in reply to lord Sandwich, declared "the bill proposed by him to be entirely his own; but he made no scruple to declare, that if he was the first minister of the country, and had the care of settling this momentous business, he should not be ashamed of publicly calling to his assistance a person so perfectly acquainted with the whole of the American affairs as the gentleman alluded to, and so injuriously reflected upon (Dr. Franklin): One whom all Europe held in high estimation for his knowledge and wisdom, and ranked with her Boyles and her Newtons—who was an honour, not only to the English nation, but to human nature."

The plan proposed by lord Chatham was rejected by a majority of 64 to 32, and without being admitted to lie on the table. That a bill on so important a subject, offered by one of the first men of the age, and who, as prime minister of the nation, had but a few years before taken up Great Britain when in the lowest despondency, and conducted her to victory and glory, through a war with two of the most powerful kingdoms of Europe, should be rejected without any consideration, or even a second reading, was not only a breach of decency, but a departure from that propriety of conduct which should mark the proceedings of a branch of the national legislature. It could not but strike every thinking American, that such legislators, influenced by passion, prejudice, and party spirit, many of whom were totally ignorant of the subject, and who would not give themselves an opportunity by a second reading, or farther consideration, to inform themselves better, were very unfit to exercise unlimited

mitted supremacy over three millions of virtuous, sensible people, inhabiting the other side of the globe.

On the day after the rejection of lord Chatham's bill, a petition was presented to the house of commons from the planters of the sugar colonies residing in Great Britain, and the merchants of London trading to the colonies. In this they stated, that the British property in the West India islands amounted to upwards of thirty millions, and that a farther property of many millions was employed in the commerce created by the said islands, and that the profits and produce of these immense capitals, which ultimately centered in Great Britain, would be deranged and endangered by the continuance of the American troubles. The petitioners were on the 16th of the next month admitted to a hearing, when Mr. Glover*, as their agent, ably demonstrated the folly and danger of persevering in the contest, but without any effect. The immediate coercion of the colonies was resolved upon, and the ministry would not suffer themselves to be diverted from its execution. They were confident of success; if they could once bring the controversy to the decision of arms. They expected more from conquest than they could promise themselves by negotiation or compromise. The free constitutions of the colonies and their rapid progress in population were beheld with a jealous eye, as the natural means of independence. They conceived the most effectual method of retaining them long, would be to reduce them soon. They hoped to be able to extinguish remonstrance and debate by such a speedy and decisive conquest, as would give them an opportunity to new-model the colonial constitutions, on such principles as would have prevented future altercations on the subject of their chartered rights. Every representation that tended to retard or obstruct the coercion of the colonies, was therefore considered as tending only to prolong the controversy. Confident of victory, and believing that nothing short of

* This gentleman, if we are not mistaken, was the author of an epic poem, entitled "Leonidas," and some other pieces, equally demonstrative of his taste and learning.

it would restore the peace of the empire, the ministry was deaf to all petitions and representations. They even presumed that the petitioners, when they found Great Britain determined on war, would assist in carrying it on with vigour, in order to expedite the settlement of the dispute. They took it for granted, that when the petitioning towns were convinced that a renewal of the commercial intercourse between the two countries would be sooner obtained by going on, than turning back; that the same interest which led them at first to petition, would lead them afterwards to support coercive measures, as the most effectual and shortest way of securing commerce from all future interruptions.

The determination of ministers to persevere was also forwarded by hopes of the defection of New-York from her sister colonies. They flattered themselves, that when one link of the continental chain gave way, it would be easy to make an impression on the disjointed extremities.

Every attempt to close the breach which had been opened by the former parliament, having failed, and the minister having determined on the mode of proceeding with the colonists, their proposed plan was briefly unfolded. This was to send a greater force to America, and to bring in a temporary act to put a stop to all the foreign trade of the New-England colonies, particularly their fishery on the banks of Newfoundland, until they returned to their duty; at the same time declaring, that whenever they should acknowledge the supreme authority of the British legislature, pay obedience to the laws of this realm, and make a due submission to the king, their real grievances, upon their making proper application, should be redressed. The other colonies, the minister said, were not so culpable, and he hoped might yet be brought to a sense of their duty to their mother-country by more lenient measures. The question now lay within a very narrow compass, and was simply, Whether we should abandon all claims on the colonies, and at once give up all the advantages arising from our sovereignty, and the commerce dependant on it? Or, Whether we should have recourse

course to the measures indispensably necessary in such circumstances, and thereby ensure both?—An address to the following purpose was then proposed: “To return thanks for the communication of the American papers, and to declare, that having taken them into most serious consideration, they found, that a part of his majesty’s subjects in the province of Massachusset’s Bay had proceeded so far as to resist the authority of the supreme legislature, and that a rebellion actually existed at that time within the province: That with the utmost concern they perceived, that they had been countenanced and encouraged by unlawful engagements and combinations entered into in several of the other colonies, to the injury and oppression of many of their innocent fellow-subjects in Great Britain and the rest of his majesty’s dominions: That this conduct appeared the more inexcusable, when it was considered, with how much temper his majesty and both houses of parliament had acted in support of the laws and constitution of Great Britain: That they never could so far desert the trust reposed in them, as to relinquish any part of the sovereign authority over all the dominions which by law is vested in his majesty and the two houses of parliament; and, that the conduct of many persons in several of the colonies, during the late disturbances, was of itself sufficient to convince them of the necessity of that power, for the protection of the lives and fortunes of his majesty’s subjects. They ever had been, and would be ready to pay attention and regard to any real grievances of his majesty’s subjects, which in a dutiful and constitutional manner should be laid before them; and whenever any of the colonies should make a proper application to them, they should be ready to afford them every just and reasonable indulgence; but, at the same time, they considered it as their indispensable duty, humbly to beseech his majesty, that he would take the most effectual measures to enforce due obedience to the laws and supreme authority of the legislature; and begged leave, in the most solemn manner, to assure his majesty of their fixed resolution, at the hazard of their lives and properties, to stand by his majesty against all rebellious attempts,

attempts, in the maintenance of his just rights, and those of the two houses of parliament."

By this formidable address, the indignation of opposition was not only excited to the utmost, but even some of the most moderate friends of administration were staggered. It was denied, that what the minister called *acts of treason and sedition* were so in reality; nor did they arise from rebellious motives; on the contrary, they were occasioned by the conduct of those who had attempted to establish despotism among the Americans, as a prelude to the realizing the same wicked system in the mother-country. An opposition to arbitrary measures was not only justifiable, but established by precedent. It was a matter of little importance, it was urged, whether the transactions in America might properly be called *rebellion* or not. The question was, Whether or not it was prudent in the house to declare them so? If, in the course of events, it should be found necessary to make any concession, or propose a treaty, such conduct with regard to rebels would be highly dishonourable to parliament; and, if no treaty should take place, their arms would never be the more powerful for distinguishing the war by the name of *a rebellion*. Such a declaration could have no other tendency than to make a great number, if not the whole people in America, desperate. It was in vain to think that the other colonies could be blinded by singling out the colony of Massachusetts Bay as the only seat of rebellion. On the other hand, this could only serve to unite them the more firmly in one common cause, which, indeed, had been already done in a great measure by the coercive acts passed by the last parliament. There was a necessity, therefore, either for attempting something to effectuate a reconciliation with the colonists, or to provide for a war with the whole.

The ministerial reply consisted in making law-distinctions, at that time absurd in the extreme, between those who had actually resisted the laws by force, and those who had not yet proceeded to that length. The declaration of parliament, it was said, did not preclude the mercy of the crown; on the contrary, the address itself

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was an act of mercy, in warning an ignorant and obstinate people of their danger. It was not necessary to punish universally; the punishment of Hancock, with some of the principal ringleaders, would be sufficient. The boasted union of the colonies would dissolve the moment the parliament showed itself resolved to act with vigour and severity. The whole of their political confederacy, as well as their commercial associations, were founded upon principles of self-denial, suffering, and rigour, not to be endured by human nature; and, therefore, must instantly fall to the ground. It was also asserted, that the Americans neither were soldiers, nor ever could be made so; being naturally of a pusillanimous disposition, and utterly incapable of any sort of order or discipline: That, by their laziness, uncleanness, or radical defect of constitution, they were incapable of going through the service of a campaign; but would melt away with sickness before they could face an enemy; so that a very slight force would be more than sufficient to reduce them completely.

That enlightened statesman and steady patriot, Mr. Fox, who on perceiving the impolitic measures into which administration were plunging, had seceded from the treasury board, moved to leave out all but the preliminary words of the address, and to substitute after them the following: "But deploring, that the information which they (the papers laid before the house) had afforded, served only to convince the house that the measures taken by his majesty's servants, tended rather to widen than to heal the unhappy differences between Great Britain and America." This amendment, however, was rejected by a very great majority, of no fewer than three hundred and four to one hundred and five; after which the question being put upon the original motion for the address, was carried by two hundred and ninety-six to one hundred and six. Another motion was made to recommit the address, on account of its threatening to involve the nation in the horrors of civil war. This occasioned a very violent debate, attended with great animosity and asperity of expression on both sides.

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The ministers were charged with acting uniformly and systematically upon tory and arbitrary principles, subversive of the constitution, destructive of the rights of the people, and which had thrown the whole empire into a state of distraction and confusion. By a pursuance of these disgraceful and ruinous measures, they had tarnished the lustre of the crown, alienated the affections of the people, and sunk the nation from the highest pinnacle of power and glory, to a degree of contempt in the estimation of the rest of Europe, which, only a few years ago, it would have been deemed impossible for the accumulated misfortunes and disgraces of an age to have accomplished. But that, in the true spirit of a tory administration, they had sacrificed the honour and interest of the nation in all transactions with foreigners; and reserved all the spirit, the pride, the dignity and force of government, to be played off against the liberties of the people at home. A bitter day of retribution, however, it was predicted, would inevitably come, when they must answer to the justice of their country, for the mischief they had already done, and for the irretrievable ruin into which they had plunged the nation.

On the 7th of February, a conference was held with the upper house, at the request of the commons, to propose their joining in the address. This business being over, the marquis of Rockingham stood up to present a petition from the West India planters to the lords, just at the very moment that the earl of Dartmouth rose to speak on the affairs of that country. A debate having ensued who should be first heard, the preference was at last given to the earl of Dartmouth, on account of the importance of the subject on which he was to speak. This, however, took up but little time; he having only made a motion to insert the words "the Lords Spiritual and Temporal" in the address of the commons, that so it might jointly come down from the two houses.

The marquis now introduced the subject of the petitions; and in his speech, after stating the importance of the subject, offered instantly to bring evidence, that some of the West India islands could not subsist after the present address had once had its full operation in America.

He also denied that any real information could be obtained, concerning the affairs of that continent, from papers so imperfect, and avowedly curtailed, as had been laid before parliament by the minister. He maintained, that even if the papers had been in their original state, they were insufficient to convey that full information which was necessary in the present case. The servants of the crown were much more liable to be imposed upon than the merchants, as was evident from the false information which had already been given, and by which the mischievous acts of parliament, so much complained of, had been produced.

These, and other arguments, were answered by ministry in the usual style,--That there was a necessity either to relinquish America entirely, or instantly to compel submission by every possible method. The distresses of people of all ranks were acknowledged, but treated as a matter of little consequence, in comparison of the vast advantages to be derived from a successful war. Even if fortune should declare for the Americans, and Britain be obliged at last to relinquish her claim of sovereignty, still it was her duty to assert it. The prize was great, and well worth contending for. The event of all human affairs is uncertain. No plan, however well concerted, can insure success. The question, however, was, Whether it was better instantly to give up our rights without any contest, or abide the utmost inconvenience that would attend our assertion of them?

In the course of this debate, lord Mansfield condemned, with the utmost asperity, the measure of laying on the duties in 1767, which he declared to be the most absurd and pernicious that could be devised, and the cause of all the evils which at present threatened the state. Three lords, who at that time had been cabinet counsellors, and held the first offices in the state, declared separately, that they had no share in that measure, nor had ever given it any approbation: Two of them * condemned it in express terms; and the other †, who was still in high office, did not by any means seem to approve of it.

* Lords Shelburne and Camden. † Duke of Grafton.

This piece of intelligence was received with the greatest marks of astonishment. That any measure should be adopted by ministry, contrary to the inclination and judgment of ministers, seemed a paradox to be explained only on the supposition of an unseen and secret influence over the national councils, so often complained of by the patriots. This notion was accordingly revived and lamented; much altercation, arraignment, and recrimination took place: But no material change happened in the general sentiments of the house; the marquis of Rockingham's motion was lost, and the petitions refused a hearing, by a vast majority of one hundred and four to twenty-nine. A protest was signed by eighteen lords, in which the measures of administration were severely condemned, and which concluded in the following manner: "Because the means of enforcing the authority of the British legislature is confided to persons of whose *capacity* for that purpose, from abundant experience, we have reason to doubt; and who have hitherto made use of no effectual means of conciliating, or of reducing those who oppose that authority: This appears in the constant failure of all their projects, the insufficiency of all their information, and the disappointment of all the hopes which they have for several years held out to the public. Parliament has never refused any of their proposals, and yet our affairs have proceeded daily from bad to worse, until we have been brought, step by step, to that state of confusion, and even civil violence, which was the natural result of these desperate measures.

"We, therefore, protest against an address, amounting to a declaration of war, which is founded on no proper parliamentary information; which was introduced by refusing to suffer the presentation of petitions against it (although it be the undoubted right of the subject to present the same); which followed the rejection of every mode of reconciliation; which holds out no substantial offer of redress of grievances; and which promises support to those ministers who have inflamed America, and grossly misconducted the affairs of Great Britain."

Thus the ministry, having proved ultimately victorious, no farther obstacle remained to the entering upon decisive measures with regard to America. In answer to the address, a message was sent from the throne, demanding an augmentation of the forces by sea and land. This being referred to the usual committee of supply, a project was next formed of laying farther restrictions on the province of Massachusetts's Bay; it being deemed absurd to send a military force thither, without making proper coercive laws, of which the military were to enforce the execution. For this purpose, the minister declared he would make choice of a punishment so universal, that all ranks and degrees of men could not but be affected by it, which, of course, he supposed, would produce obedience to the former laws. A bill was therefore, on the 10th of February, brought into the house of commons, to restrain the trade and commerce of the provinces of Massachusetts's Bay and New-Hampshire, the colonies of Connecticut and Rhode Island, and Providence Plantations, in North America, to Great Britain, Ireland, and the British islands in the West Indies; and to prohibit such colonies and provinces from carrying on any fishery on the banks of Newfoundland, or other places therein to be mentioned, under certain conditions, and for a limited time. The extreme severity of this act, however, he added, might be alleviated by such provisions as would not destroy its main object; for which reason he would only propose it as temporary, to continue either to the end of the year, or the next session of parliament; and he would also propose, that particular persons might be excepted, upon their obtaining certificates from the governor of the province in which they resided, of their good behaviour; or upon their subscribing a test, acknowledging the rights of parliament.

The debates on this bill were long and violent; all the arguments which had been used on former occasions by the members in opposition were now collected and urged with the utmost vehemence. They were attended, however,

however, with their usual want of success, the question being carried in favour of the bill by two hundred and sixty-one to eighty-five.

In the progress of the bill, a petition from the merchants and traders of London, who were interested in the American commerce, was presented against it. They were heard by their agent, Mr. David Barclay, and a variety of witnesses were examined before the house. In the course of their evidence it appeared that in the year 1764, the four provinces of New-England employed in their several fisheries no less than 45,880 ton of shipping, and 6000 men; and that the produce of their fisheries that year in foreign markets amounted to 322,220*l.* 16*s.* sterling. It also appeared that the fisheries had very much increased since that time—that all the materials used in them, except salt and the timber of which the vessels were built, were purchased from Great Britain; and that the net proceeds of the whole were remitted thither. All this information was disregarded. After much opposition in both houses, and a protest in the house of lords, the bill was, on the 30th of March, by a great majority, finally ratified. So intent were the ministry and parliament on the coercion of the colonists, that every other interest was sacrificed to its accomplishment. They conceived the question between the two countries to be simply, whether they should abandon their claims, and at once give up all the advantages arising from sovereignty and commerce, or resort to violent measures for their security.

The restraining act was followed by a demand for 2000 additional seamen, and 4383 land forces. The force at Boston, lord North informed the house, would be augmented to 10,000 men, which he considered as sufficient to carry all his measures into effect.

Since the year 1769, when a secretary of state officially disclaimed all views of an American revenue, little mention had been made of that subject, but the decided majority which voted with the ministry on this occasion, emboldened lord North once more to present it to the view of his countrymen; he, therefore, brought into parliament

parliament a scheme which had the double recommendation of holding forth the semblance of conciliation, and the prospect of an easement of British taxes, by a productive revenue from the colonies. This was a resolution which passed on the 20th of February:

“Resolved, That when the governor, council, and assembly, or general court, of any of his majesty’s provinces or colonies in America, shall propose to make provision according to the condition, circumstances, and situation of such province or colony, for contributing their proportion for the common defence (such proportion to be raised under the authority of the general court or general assembly of such province or colony, and disposable by parliament), and shall engage to make provision also for the support of the civil government, and the administration of justice in such province or colony, it will be proper, if such proposal shall be approved by his majesty and the two houses of parliament, and for so long as such provision shall be made accordingly, to forbear, in respect of such province or colony, to levy any duty, tax, or assessment, except only such duties as it may be expedient to continue to levy or to impose for the regulation of commerce, the net produce of the duties last mentioned, to be carried to the account of such province, colony, or plantation respectively.”

In a very long introductory speech, his lordship acquainted the house, that this resolution was intended, not only to give the Americans proofs of our being determined to support our rights, but to hold out to them the advantages of a conciliatory disposition, which would always incline us to forgiveness upon proper concessions; and if the mode of taxation, and not the right, was at present contested, the Americans had now an opportunity to wipe off the stain of their former misconduct by raising their shares of contribution in what manner they should think most proper. His lordship added, that this resolution held out the terms upon which tranquillity might be restored, and left the Americans inexcusable should they pretend ignorance, and at the same time put their sincere desires of peace and professions of loyalty

to such a test as would be obvious to all the world. As, however, it might appear to some members to be of a nature very different from that of the former acts respecting the colonies, he explained this seeming contradiction by alleging, that no declaration of the house could bind to an adherence strictly to any former resolution relative to the submission to be required of the colonies, previous to a relaxation on our side. Such deviation was not unusual in the annals of England as well as of other nations, especially when a necessity like the present demanded it; for his lordship frankly confessed, that the result of our taxing the colonies had proved unproductive in point of revenue, a circumstance not surprising, when we reflect on the local knowledge that is indispensable (and not easily procured) in levying duties in America.

It is inconceivable what consternation seized on the minds of the hearers of this motion and speech. Lord North scarcely appeared to be himself; his friends doubted the evidence of their senses when they turned towards his seat, and some did not scruple to say, that his lordship, like a dying man, now spoke in a style he had been unaccustomed to during life, and as a prelude to his resignation wished to recant his former tenets, and involve the whole ministry in confusion. His friends opened the debate with throwing out suspicions of this kind, and observing that his motion did not accord with the address, and that to admit the injustice of parliament in taxing America was a palpable contradiction to every preceding resolution, and an unprincipled prevarication. The minister was again and again called on to explain, for the obscurity of some part of the resolution was more alarming than that which was understood. Mr. Wedderburne however undertook to explain and defend the motion, and began by asserting, that nothing could be farther from the intention of the minister than to yield a single contested point to the Americans, but rather to propose a better method of enforcing the demands of parliament than their former acts provided; that the appearances of concession and lenity which this motion presented would not in the least

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least obstruct the operation of the rigid measures which had met with the approbation of the house. It served only to discriminate between those in actual rebellion, and the friends of government; the latter having now an opportunity of manifesting their loyalty, and escaping the punishment in which the refractory colonists will be involved: That so far from parliament's giving up their right, they had it not in their power to surrender it, if willing, nor did they even suspend it by this resolution, for the tendency of it was still to compel the Americans to provide what we, not they, might think just and reasonable, and to convince the troops, about to be sent over, that they were to fight on certain and definite grounds, and not on ambiguity, since the question now was reduced to this simple state, revenue or no revenue. The minister expressed his satisfaction with respect to this explanation, adding, that although it was far from his expectations, that the Americans would accept of these conditions, yet they would serve to unite the people of England by holding out to them a distinct object of revenue.

The objections of opposition were of a very different kind from those made by the other party. They were far from considering it as tending to peace. On the contrary, it was contradictory, mean, and treacherous, and the only measure now wanting to widen the unhappy breach, and unite the whole colonies with a firmness not to be afterwards shaken. In the case of the tea act, administration maintained, that to this country, it was only to be a duty of supply, and to the Americans, a tax of regulation; the same contemptible cunning and prevarication was now repeated, for one side of the house was told it was a conciliatory bill, and the other, that it was a farther enforcement of rigid measures. Formerly ministry had made us believe, that the contest was for obedience to trade laws, and the general legislative authority, and not concerning revenue; but now they changed their principles, and seemed to think that the manufacturers and the nation at large would be entirely satisfied, when they were told that it was not a contest for honour, or the dignity of parliament, but the acquisition of a sub-

substantial revenue: A very short time, they added, would be sufficient to show, how ineffectual an argument they had employed; it was impossible it could carry conviction at home, and in America it would only add fresh fuel to the impending conflagration. The Americans, by this bill, would find themselves taxed in a manner more tyrannical than any other country whatever; no specific sum was demanded, and the same power that requires a share may require a half, the whole, or more than they are worth. Was there not, they asked, an absurdity in sending over fleets and armies to keep the colonists prisoners till they should offer to contribute to a service, the nature of which they could not know; in a proportion, and on a standard of which they neither could form a conjecture, nor had received any information from parliament? If any of these offers should not seem sufficient, the matter must be sent back to America again, and a new offer might not perhaps arrive in sufficient time for that session or parliament which received the first; the consequence of which must be endless distractions and confusion. The opposition farther declared it as their opinion, that the Americans, so far from being disunited by this bill, would be connected together more firmly than ever, and would be ready to repel all our hostile attempts with force and indignation. A revenue from a free people must be the *consequence*, not the *condition*, of peace. The question was carried on a division of 278 to 88, the usual majority, notwithstanding the friends of the minister were at first, in some degree, startled at his motion. They were now either fully masters of its meaning and tendency, or convinced that it was of a nature not definite enough to bind or restrain from the exercise of former, or the proposal of future measures of coercion.

While administration were thus superior to every degree of opposition, we are not to expect they would yield any point in matters of less moment: Yet Mr. Sawbridge's annual motion for shortening the duration of parliament, although it admitted of no debate, was supported by a greater number than in the preceding year, 104 being for, and 195 against it. Another annual motion

tion relative to the Middlesex election, was rejected by a majority of 68, nearly the same with that which had opposed it for some years. About this time, the American minister had written a letter to the lieutenant-governor of New-York, which was supposed to contain matter of information worthy the consideration and attention of the house. It was accordingly called for, but peremptorily refused; and a negative put upon a motion for an address to his majesty, that the paper might be laid before the house. Ministers said, they were the sole judges of what was proper to be laid before the house. They were then asked whether or not a petition and memorial of an extraordinary nature, from the assembly of the island of Jamaica, to the king in council, was among one of the papers which were not proper for the inspection of the house? To this it was answered, that the paper in question would have been laid before them, had it not been considered of trivial importance; but, to satisfy them, it should now be presented. In this petition, after professing the greatest loyalty to the mother-country, they declared that the most dreadful calamities to their island, and the inevitable destruction of the small sugar colonies, must follow in consequence of the present unnatural contest with the Americans, the rights of which colonies they endeavoured to defend with powerful arguments. They denied that their ancestors, the settlers or conquerors of the colonies, could receive any rights or privileges from their fellow-subjects in England at the time of their emigration; the peers could not communicate their privileges, and the people had no rights but those of which the former were equally possessed; but the crown, whose prerogatives were totally independent of both, for the great purposes of colonization, communicated to all the colonies, though in different degree, a liberal share of its own royal powers of government. These powers, as well as their original rights and privileges, had been confirmed to them by every means which could be devised for affording security to mankind, charters, proclamations, prescription, compact, protection, and obedience. From these and other premises, the petitioners declare that

that the colonists are not subjects to the people of England, and insist that they have their own rights of legislation. They deplore and behold with amazement, a plan almost carried into execution, for reducing the colonies into the most abject state of slavery; and they demand and claim from the sovereign, as the guarantee of their just rights, that no laws should be forced upon them, injurious to their rights, as colonists, or Englishmen; and that, as the common parent of his people, his majesty would become a mediator between his European and American subjects. A petition was, at this time, presented from Waterford, in Ireland, setting forth the miseries they were about to suffer, and even already had felt, in a considerable degree, by being deprived of the only valuable branch of export which they were permitted to carry on with the colonies.

A bill was now brought in by the minister, "To restrain the trade and commerce of the colonies of New-Jersey, Pennsylvania, Maryland, Virginia, and South Carolina, to Great Britain, Ireland, and the British colonies in the West Indies, under certain conditions and limitations." On the second reading, a motion was carried for including in the bill, the counties of New-Castle, Kent, and Suffex, on the Delaware, in North America, that there might be no ground for complaint of partiality. —All were culpable, and consequently all were punishable. The debates on this bill, during its whole course, had neither regularity nor novelty. Opposition expressed their fears lest a civil war should follow this unheard-of temerity and injustice; and the ministerial party, whatever credit they might allow to the Americans' boasting and threats, could never bring themselves to believe that they would put them into execution. A favourite object was now in view, and every consideration was to be sacrificed to it. Even temporary interest lost its weight, when put in competition with the pretended anxiety of parliament to preserve the dignity of its legislative authority.

A conciliatory attempt of Mr. Burke deserves particular notice. On March the 22d, he introduced a set of

propositions, in an elegant and learned speech. In his introduction he examined and explained the natural and accidental circumstances of the colonies, with respect to situation, resources, number, population, commerce, fisheries, and agriculture, and from these considerations showed their importance. He then inquired into their unconquerable spirit of freedom; and he traced it to its original sources: From these circumstances he inferred the line of policy which should be pursued with regard to America—he showed that all proper plans of government must be adapted to the feelings, established habits, and received opinions of the people. On these principles he reprobated all plans of governing the colonies by force; and proposed, as the ground-work of his plan, that the colonists should be admitted to an interest in the constitution. He then went into an historical detail of the manner in which British privileges had been extended to Ireland, Wales, and the counties palatine of Chester and Durham—the state of confusion previously to that event, and the happy consequences which followed it. He contended that a communication to the members of an interest in the constitution, was the great ruling principle of British government. He therefore proposed to go back to the old policy for governing the colonies. He was for a parliamentary acknowledgment of the legal competency of the colony assemblies for the support of their government in peace, and for public aids in time of war—and of the futility of parliamentary taxation as a method of supply. He stated that much had been given in the old way of colonial grant; that from the year 1748 to 1763, the Journals of the house of commons repeatedly acknowledged that the colonies not only gave, but gave to satiety; and that from the time in which parliamentary imposition had superseded the free gifts of the provinces, there was much discontent but little revenue. He therefore moved six resolutions affirmatory of these facts, and grounded on them resolutions for repealing the acts complained of by the Americans, trusting to the liberality of their future voluntary contributions. This plan of conciliation, which promised immediate peace to the whole empire,

empire, and a lasting obedience of the colonies, was by a great majority rejected.

Mr. D. Hartley, not discouraged by the negative which had been given to Mr. Burke's scheme, came forward with another for the same purpose*. This proposed, that a letter of requisition should be sent to the colonies by a secretary of state, on a motion from the house for a contribution to the expenses of the whole empire. He meant to leave to the provincial assemblies the right to judge of the expedience of the grant, its amount and application. In confidence that the colonies would give freely when called on in this constitutional way, he moved to suspend the acts complained of by the Americans. This was also rejected. Another plan was digested in private by Dr. Franklin on the part of the Americans, and Dr. Fothergill and David Barclay on behalf of the British ministry.

At one of their conferences, held at the house of Dr. Fothergill, on the 4th of December 1774, before the proceedings of congress had reached England, a paper, drawn up by Dr. Franklin, at the request of the two other gentlemen, was submitted to their joint consideration; which, with a few additions proposed and agreed to by common consent, was as follows:

Hints for Conversation upon the Subject of Terms that might probably produce a durable Union between Britain and the Colonies.

1st. The tea destroyed to be paid for.

2d. The tea-duty act to be repealed, and all the duties that have been received upon it to be repaid into the treasuries of the several provinces from which they have been collected.

3d. The acts of navigation to be all re-enacted in the colonies.

4th. A naval officer to be appointed by the crown to see that these acts are observed.

5th. All the acts restraining manufactories in the colonies to be reconsidered.

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6th. All duties arising on the acts for regulating trade with the colonies, to be for the public use of the respective colonies, and paid into their treasuries.

The collectors and custom-house officers to be appointed by each governor, and not sent from England.

7th. In consideration of the Americans maintaining their own peace establishment, and the monopoly Britain is to have of their commerce, no requisition is to be made from them in time of peace.

8th. No troops to enter and quarter in any colony, but with the consent of its legislature.

9th. In time of war, on requisition by the king, with consent of parliament, every colony shall raise money by the following rules in proportion, *viz.* If Britain, on account of the war, raises three shillings in the pound, to its land-tax, then the colonies to add to their last general provincial peace-tax, a sum equal to one fourth part thereof; and if Britain, on the same account, pay four shillings in the pound, then the colonies to add to their last peace-tax, a sum equal to the half thereof; which additional tax is to be granted to his majesty, and to be employed in raising and paying men for land or sea service, and furnishing provisions, transports, or for such other purposes as the king shall require and direct; and though no colony may contribute less, each may add as much by voluntary grant as it shall think proper.

10th. Castle-William to be restored to the province of Massachusetts Bay, and no fortress to be built by the crown in any province, but with the consent of its legislature.

11th. The late Massachusetts and Quebec acts to be repealed, and a free government granted to Canada.

12th. All judges to be appointed during good behaviour, with equally permanent salaries to be paid out of the provincial revenues by appointment of the assemblies; or if the judges are to be appointed during the pleasure of the crown, let the salaries be during the pleasure of the assemblies, as heretofore.

13th. Governors to be supported by the assemblies of each province.

14th,

14th. If Britain will give up her monopoly of the American commerce, then the aid above mentioned to be given in time of peace, as well as in time of war.

15th. The extension of the act of Henry VIII. concerning treasons to the colonies, to be formally disowned by parliament.

16th. The American admiralty courts to be reduced to the same powers they have in England, and the acts establishing them to be re-enacted in America.

17th. All power of internal legislation in the colonies to be disclaimed by parliament.

On reading this paper a second time, Dr. Franklin gave his reasons at length for each article. Some of his reasons were as follow:

On the first article he observed, that when the tea was destroyed at Boston, Great Britain had a right to reparation, and would certainly have had it on demand, as was the case when injuries were done by mobs in the time of the stamp-act, or she might have a right to return an equal injury, if she rather chose to do that; but Great Britain could not have a right both to reparation and to return an equal injury, much less had she a right to return the injury ten or twenty-fold, as she had done by blocking up the port of Boston: All which extra injury ought to be repaired by Great Britain. That therefore if paying for the tea was agreed to, as an article fit to be proposed, it was merely from a desire of peace, and in compliance with the opinions of Dr. Fothergill and David Barclay, expressed at their first meeting—that this was indispensable, that the dignity of Great Britain required it, and that if this was agreed to, every thing else would be easy.

On the second, it was observed that the tea-duty act should be repealed, as having never answered any good purpose, as having been the cause of the present mischief, and never likely to be executed. That the act being considered as unconstitutional by the Americans, and what parliament had no right to enact, they must consider all the money extorted by it as so much wrongfully taken, and of which therefore restitution ought to be made, and

the rather, as it would furnish a fund out of which the tea destroyed would be best defrayed.

On the third and fourth articles it was observed, that the Americans were frequently charged with views of abolishing the navigation act, but that in truth those parts of it which were of most importance to Britain, as tending to increase its naval strength, were as acceptable to the colonists as they could be to the inhabitants of the parent state, since they wished to employ their own ships in preference to those of foreigners, and they had no desire to see foreign ships enter their ports. That it would prevent disputes if they were re-enacted in the colonies, as that would demonstrate their consent to them; and then, if all the duties arising on them were to be collected by officers appointed and paid in the respective governments, and the produce paid in to their treasuries, the acts would be better and more faithfully executed, and at much less expense, and a great source of misunderstanding between the two countries removed—that the extension of the admiralty jurisdiction, so much complained of, would then no longer be necessary.

In support of the seventh article it was observed, that if every distinct part of the king's dominions supported its own government in time of peace, it was all that could justly be required of it.—That all the old and confederated colonies had done so from their beginning, that their taxes for that purpose were very considerable, that new countries had many expenses which old ones were free from, the work being done to their hand by their ancestors, such as making roads and bridges, erecting churches, court-houses, forts, quays, and other public buildings; founding schools and places of education, hospitals and almshouses—that the voluntary subscriptions and legal taxes for such purposes, taken together, amounted to more than was paid by equal estates in Great Britain: That it would be best not to take money from the Americans, as a contribution to the public expense in time of peace; first, for that just so much less would be got from them in commerce; and secondly, that coming into the hands of British ministers, accustomed to prodigality of public

public money, it would be squandered and dissipated, without answering any general good purposes. That on the whole it would be best for both countries, that no aids should be asked from the colonies in time of peace; that it would then be their interest to grant bountifully, and exert themselves in time of war, the sooner to put an end to it.

In support of the eighth article it was said, that if the king could bring into any one part of his dominions, troops raised in any other part of them, without the consent of the legislature of the part to which they were brought, he might bring armies raised in America to England, without the consent of parliament.

The ninth article was drawn up in compliance with an idea of Dr. Fothergill, that the British government would probably not be satisfied with the promise of voluntary grants in time of war from the American assemblies, of which the quantity must be uncertain; that therefore it would be best to proportion them in some way to the shilling in the pound raised in England.

In support of the tenth article was urged, the injustice of seizing that fortress which had been built at an immense charge by the province, for the defence of their port against national enemies, and turning it into a citadel for awing the town, restraining their trade, blocking up their port, and depriving them of their privileges. That a great deal had been said of their injustice in destroying the tea, but here was a much greater injustice uncompensated, that castle having cost the province 300,000*l*.

In support of the eleventh article it was said, that as the Americans had assisted in the conquest of Canada, at a great expense of blood and treasure, they had some right to be considered in the settlement of it; that the establishing an arbitrary government on the back of their settlements would be dangerous to them all; that as to amending the Massachusetts government, though it might be shown that every one of these pretended amendments were real mischiefs, yet, that as charters were compacts between two parties, the king and the people, no alteration

ation could be made in them, even for the better, but by the consent of both parties; that the parliamentary claim and exercise of power to alter American charters, had rendered all their constitutions uncertain, and set them quite afloat; that by this claim of altering laws and charters at will, they deprived the colonists of all rights and privileges whatever, but what they should hold at their pleasure; that this was a situation they could not be in, and must risk life and every thing rather than submit to it.

The twelfth article was explained by stating the former situation of the judges in most of the colonies, *viz.* that they were appointed by the crown and paid by the assemblies; that the appointment being during the pleasure of the crown, the salary had been during the pleasure of the assembly; that when it was urged against the assemblies that their making judges dependant on them for their salaries, was aiming at an undue influence over the courts of justice, the assemblies usually replied, that making them dependant on the crown for continuance in their places, was also retaining an undue influence over those courts, and that one undue influence was a proper balance for another; but that whenever the crown would consent to the appointment of judges only during good behaviour, the assemblies would at the same time grant their salaries to be permanent during their continuance in office; that instead of agreeing to this equitable offer, the crown now claimed to make the judges in the colonies dependant on its favour for place, as well as salary, and both to be continued at its pleasure. This the colonies must oppose as inequitable, as putting both the weights into one of the scales of justice.

In favour of the thirteenth it was urged, that the governors sent to the colonies were often men of no estate or principle, who came merely to make fortunes, and had no natural regard for the country they were to govern; that to make them quite independent of the people, was to make them careless of their conduct, and giving a loose to their rapacious and oppressive dispositions; that the dependance of the governors on the people for their salaries

salaries could never operate to the prejudice of the king's service, or to the disadvantage of Britain, since each governor was bound by a particular set of instructions, which he had given surety to observe, and all the laws he assented to were subject to be repealed by the crown; that the payment of the salaries by the people was more satisfactory to them, and was productive of a good understanding between governors and governed, and that therefore the innovations lately made at Boston and New-York should be laid aside.

The fourteenth article was expunged on the representation of Dr. Fothergill and David Barclay, that the monopoly of the American commerce would never be given up, and that the proposing of it would only give offence, without answering any good purpose.

The fifteenth article was readily agreed to.

The sixteenth was thought to be of little consequence, if the duties were given to the colony treasuries.

The seventeenth it was thought could hardly be obtained; but it was supported by Dr. Franklin, alleging that, without it, any compact made with the Americans might be evaded by acts of the British parliament, restraining the intermediate proceedings which were necessary for carrying it into effect.

This paper of hints was communicated to lord Dartmouth by Dr. Fothergill, who also stated the arguments which in conversation had been offered in support of them. When objections were made to them, as being humiliating to Great Britain, Dr. Fothergill replied, "that she had been unjust, and ought to bear the consequences, and alter her conduct—that the pill might be bitter, but it would be salutary, and must be swallowed; that sooner or later, these or similar measures must be followed, or the empire would be divided and ruined."

These hints were handed about among ministers, and conferences were held on them. The result was, on the 4th of February 1775, communicated to Dr. Franklin, in the presence of Dr. Fothergill and David Barclay, which, as far as concerned the leading articles, was as follows;

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1. The first article was approved.
2. The second agreed to so far as related to the tea-act; but repayment of the duties that had been collected was refused.
3. The third not approved, as it implied a deficiency of power in the parliament that made the acts.
4. The fourth approved.
5. The fifth agreed to, but with a reserve that no change prejudicial to Britain was to be expected.
6. The sixth agreed to, so far as related to the appropriation of the duties; but the appointment of the officers and their salaries to remain as at present.
7. The seventh, relating to aids in time of war, agreed to.
8. The eighth, relating to troops, was inadmissible.
9. The ninth could be agreed to with this difference, that no proportion should be observed with regard to preceding taxes, but each colony should give at pleasure.
10. The tenth agreed to as to the restitution of Castle-William; but the restriction on the crown in building fortresses refused.
11. The eleventh refused absolutely, except as to the Boston port bill, which would be repealed, and the Quebec act might be so far amended, as to reduce that province to its ancient limits. *The other Massachusetts acts being real amendments of their constitution, must for that reason be continued, as well as to be a standing example of the power of parliament.*
12. The twelfth agreed to, that the judges should be appointed during good behaviour, on the assemblies providing permanent salaries, such as the crown should approve of.
13. The thirteenth agreed to, provided the assemblies make provision, as in the preceding article.
14. The fifteenth agreed to.
15. The sixteenth agreed to, supposing the duties paid to the colony treasuries.
16. The seventeenth inadmissible.

At this interview the conversation was shortened by Dr. Franklin's observing, that while the parliament claimed

claimed and exercised a power of internal legislation for the colonies, and of altering American constitutions at pleasure, there could be no agreement, as that would render the Americans unsafe in every privilege they enjoyed, and would leave them nothing in which they could be secure. It being hinted how necessary an agreement was for America, since it was so easy for Britain to burn all her sea-port towns, Dr. Franklin replied, "that the chief part of his little property consisted of houses in such towns; that they might make bonfires of them whenever they pleased; that the fear of losing them would never alter his resolution of resisting to the last extremity that claim of parliament; and that it behoved Great Britain to take care what mischief she did to America, for that, sooner or later she would certainly be obliged to make good all damages with interest."

On the 16th of February 1775, the three gentlemen again met, when a paper was produced by David Barclay, entitled, "A plan which it is believed would produce a permanent union between Great Britain and her colonies." This, in the first article, proposed a repeal of the tea-act, on payment being made for the tea destroyed. Dr. Franklin agreed to the first part, but contended that all the other Massachusetts acts should also be repealed; but this was deemed inadmissible. Dr. Franklin declared, that the people of Massachusetts would suffer all the hazards and mischiefs of war, rather than admit the alteration of their charters and laws by parliament. He was for securing the unity of the empire, by recognizing the sanctity of charters, and by leaving the provinces to govern themselves in their internal concerns; but the British ministry could not brook the idea of relinquishing their claim to internal legislation for the colonies, and especially to alter and amend their charters. The first was for communicating the vital principles of liberty to the provinces, but the latter, though disposed to redress a few of their existing grievances, would by no means consent to a repeal of the late act of parliament for altering the chartered government of Massachusetts, and least of all to renounce all
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claim to future amendments of charters, or of internal legislation for the colonies.

Dr. Franklin laboured hard to prevent the breach from becoming irreparable, and candidly stated the outlines of a compact which he supposed would procure a durable union of the two countries; but his well-meant endeavours proved abortive, and in the mean time he was abused as the fomentor of those disturbances which he was anxiously endeavouring to prevent. That the ministry might have some opening to proceed upon, and some salvo for their personal honour, he was disposed to engage, that pecuniary compensation should be made for the tea destroyed; but he would not give up essential liberty, for the purpose of procuring temporary safety. Finding the ministry bent on war, unless the colonists would consent to hold their rights, liberties, and charters, at the discretion of a British parliament, and well knowing that his countrymen would hazard every thing, rather than consent to terms so degrading as well as inconsistent with the spirit of the British constitution, he quitted Great Britain in March 1775, and returned to Philadelphia. Dr. Fothergill, his worthy coadjutor in the great business of peace, wrote to him on the evening before he left London, "That whatever specious pretences were offered, they were all hollow, and that to get a larger field on which to fatten a herd of worthless parasites, was all that was intended." With this conviction, founded on personal observations, as well as the testimony of his esteemed friend, who, in the course of his daily visits among the great, in the practice of his profession, had an opportunity of knowing their undisguised sentiments, Dr. Franklin joined his countrymen, and afterwards exerted his great abilities in conducting them through a war he had in vain laboured to prevent.

Every plan of reconciliation, not coming from the side of administration, being thus rejected, petitions now became very general, and loud in their complaints of injured manufactures; and the weight and conviction they carried with the public was increased, not lessened, by the paltry artifices, which it was alleged were now practised,

practised, in order to procure petitions expressive of the prosperity and security of trade. The city of London ventured again to breathe a fruitless request, but as much in vain as ever. This cannot indeed be wondered at, since in this new petition (presented in April) they justified the resistance to which the Americans had been driven, upon those same principles of the constitution, which actuated our ancestors when they transferred the imperial crown of these realms to the house of Brunswick. They moreover beseeched his majesty, to dismiss immediately, and for ever, from his councils, those ministers who had advised the obnoxious acts, as the first step towards a redress of those grievances which alarmed and afflicted the whole people. His majesty answered the petition in the following words: "It is with the utmost astonishment that I find any of my subjects capable of encouraging the rebellious disposition which unhappily exists in some of my colonies in North America. Having entire confidence in the wisdom of my parliament, the great council of the nation, I will steadily pursue those measures which they have recommended for the support of the constitutional rights of Great Britain, and the protection of the commercial interests of my kingdoms."

It was time now for the minister to propose some advantages, in lieu of those of which he had deprived the nation by the abolition of the American fisheries.— With this view he moved for a committee of the whole house, to consider of the encouragement proper to be given to the fisheries of Great Britain and Ireland. The grievances of Ireland demanded a particular attention, as that country had suffered them with a patience unexampled and unexpected. By including trade and commerce in this nation, some members wished to institute an inquiry into the state of Ireland at large, but in this they were opposed by lord North, who was of opinion, that the field of inquiry, which would, by this alteration, be opened, would prove too large for the present opportunity. That his lordship, however, might not appear adverse to the interests of Ireland, he procured two motions to be passed, by the one of which it was declared

lawful to export from Ireland clothes and accoutrements for such regiments on the Irish establishment as were employed abroad; by the other, a bounty of five shillings per barrel was allowed on all flax-seed imported into Ireland. They were also allowed to export provisions, hooks, lines, nets, tools, and implements, for the purposes of fishery. The principal objections to these motions were, that they effected too little, and tended to prevent the employment of English capitals in Ireland. In the progress of this committee, bounties were granted to the ships of Great Britain and Ireland, for their encouragement in prosecuting the Newfoundland fishery, and for encouraging the whale fishery, in those seas that were to the southward of Greenland and Davis's Straights fisheries; the several duties upon the importation of oil, blubber, and bone, from Newfoundland, and on the importation of seal-skins, were at the same time taken off.

The remainder of this session was employed in the rejection of a variety of petitions from the colonists, or those who had their interest most at heart; a remonstrance and representation of the general assembly of the colony of New-York, to the parliament, was introduced by Mr. Burke, who moved that it should be brought up. He said the decent and respectful language in which they conveyed their sentiments, carried with it some claim on parliamentary attention. Every opinion contained in the paper he granted might not be incontrovertible; but such was the manner in which their complaints were urged, that he could not help looking on this as a very favourable opportunity for amicably ending our differences with America. The rejection of this motion was followed by that of another, owing to similar circumstances, in the house of lords, and that, by a petition, from the British inhabitants of the province of Quebec, presented by lord Camden. The extension of the limits of Quebec, the establishment of popery, and the common complaints of despotism, formed the material part of this latter petition. The debates on it were long and violent; but, on the side of opposition, very ineffectual, the numbers being 23 who opposed it, to 28 lords only who supported it.

Among

Among the minority were their royal highnesses of Cumberland and Gloucester.

Thus ended the session, in which every step towards the favourite system of coercion seemed to receive an almost universal approbation; and in the speech, his majesty expressed the most perfect satisfaction in their conduct. They had maintained, with a firm and steady resolution, the inseparable rights of the crown and the authority of parliament; they had projected and promoted the commercial interest of these kingdoms, and had given convincing proofs of their readiness (as far as the constitution would allow them) to gratify the wishes, and remove the apprehensions of the subjects in America; and a persuasion was entertained, that the most salutary effects must, in the end, result from measures formed and conducted on such principles. His majesty expressed much concern, that the unhappy disturbances in some of the colonies, had occasioned an augmentation of the land forces, and prevented the intended reduction of the naval establishment from being completed; thanks were returned for the cheerfulness and public spirit with which they had granted the supplies. A favourable representation was made of the pacific disposition of other powers, and the usual assurance given of endeavouring to secure the public tranquillity. The speech concluded with a recommendation, to preserve and cultivate in their several counties the same regard for public order, and the same discernment of their true interests, which had in these times distinguished the character of his majesty's faithful and beloved people; and the continuance of which could not fail to render them happy at home, and respected abroad.

While such were the impolitic proceedings of the British ministry, the hostile aspect of affairs in America became equally alarming, and seemed to accelerate that crisis which all good men deprecated and deplored. The colonists had indulged themselves in an expectation that the people of Great Britain, from a consideration of the dangers and difficulties of a war with the colonies, would in their election have preferred those who were friends to peace and a reconciliation; but when they were convinced

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of the fallacy of these hopes, they turned their attention to the means of self-defence. It had been the resolution of many never to submit to the operation of the late acts of parliament. Their number daily increased, and in the same proportion that Great Britain determined to enforce, did they determine to oppose. Intelligence of the rejection of lord Chatham's bill, of the address of both houses of parliament to the king on the 9th of February, and of the fishery bill, all arrived among the colonists about the same time, and diminished what remained of their first hopes of a speedy accommodation. The fishery bill excited a variety of emotions. The obvious tendency of it was to starve thousands. The severity of it did not strike an Englishman, for he viewed it as a merited correction for great provincial offences; but it appeared in the blackest colours to an American, who felt no consciousness of guilt, and who fancied that heaven approved his zeal in defence of liberty. It alienated the affections of the colonists, and produced in the breasts of thousands a hatred of Great Britain.

The penal acts of parliament in 1774 were all levelled against Massachusetts, but the fishery bill extended to New-Hampshire, Connecticut, and Rhode-Island. The extension of this penal statute to three additional provinces, operated powerfully in favour of union, and convinced the most moderate, of the increasing necessity for all the provinces to make a common cause of their opposition. Whatever might be the designs of parliament, their acts had a natural tendency to enlarge the demands of the Americans, and to cement their confederacy, by firm principles of union. At first they only claimed exemption from internal taxation, but by the combination of the East India company and the British ministry, an external tax was made to answer all the purposes of a direct internal tax. They therefore, in consistence with their own principles, were constrained to deny the right of taxing in any form for a supply. Nothing could more contribute to make the colonists deny the parliamentary claim of internal legislation, than the manner in which it was exercised, in depriving them of their charters, and
passing

passing an act relative to trials, which promised indemnity to murderers. This convinced them that an opposition to so injurious a claim was essentially necessary to their security. But they still admitted the power of parliament to bind their trade. This was conceded by congress but a few months before an act passed that they should have no foreign trade, nor be allowed to fish on their own coasts. The British ministry, by their successive acts, impelled the colonists to believe, that while the mother-country retained any authority over them, that authority would, in some shape or other, be exerted so as to answer all the purposes of a power to tax. While Great Britain stretched that portion of controlling supremacy which the colonists were disposed to allow her, to such an extent as covered oppression equally grievous with that which they would not allow; the way was fast opening for a total renunciation of her sovereignty. The coercive measures adopted by the parent state produced a disposition in the colonies to extend their claims, and the extension of their claims produced an increasing disposition in Great Britain to coerce them still more. The jealousy of liberty on one side, and the desire of supremacy on the other, were reciprocally cause and effect; and urged both parties, the one to rise in her demands, and the other to enforce submission. In the contest between Great Britain and her colonies, there had been a fatal progression from small to greater grounds of dissension. The trifling tax of 3d. per pound on tea, roused the jealous inhabitants of Boston to throw 340 chests of it into the ocean. This provoked the British parliament to shut up their port, and to new-model their charter. Statutes so unconstitutional and alarming excited a combination in twelve of the colonies, to stop all trade with Great Britain, Ireland, and the West Indies. Their combination gave birth to the restraining acts of parliament, by which nine of the colonies were interdicted all other trade but that from which they had voluntarily excluded themselves; and four of these nine were farther devoted to famine, by being forbidden to fish on their coasts. Each new resolution on the one side, and new act on the other, reciprocally gave birth

to something from the opposite parry, that was more irritating or oppressive than what had preceded.

The beginning of strife between the parent state and her colonies was like the letting out of waters. From inconsiderable causes love was changed into suspicion, that gradually ripened into ill-will, and soon ended in hostility. Prudence, policy, and reciprocal interest, urged the expediency of concession; but pride, false honour, and misconceived dignity, drew in an opposite direction. Undecided claims and doubtful rights, which under the influence of wisdom and humility might have been easily compromised, imperceptibly widened into an irreconcilable breach. Hatred at length took the place of kind affections, and the calamities of war were substituted in lieu of the benefits of commerce.

From the year 1768, in which a military force had been stationed in Boston, there was a constant succession of insulting words, looks, and gestures. The inhabitants were exasperated against the soldiers, and they against the inhabitants. The former looked on the latter as the instruments of tyranny, and the latter on the former as seditious rioters, or fraudulent smugglers. In this irritable state, every incident, however trifling, made a sensible impression. It was a fortunate circumstance for the colonies that the royal army was posted in New-England. The people of that northern country have their passions more under the command of reason and interest, than in the southern latitudes, where a warmer sun excites a greater degree of irascibility. One rash offensive action against the royal forces at this early period, though successful, might have done great mischief to the cause of America. It would have lost them European friends, and weakened the disposition of the other colonies to assist them. The patient and the politic New-England-men, fully sensible of their situation, submitted to many insults, and bridled their resentment. In civil wars or revolutions, it is a matter of much consequence who strikes the first blow. The compassion of the world is in favour of the attacked, and the displeasure of good men falls on those who are the first to imbrue their hands in human blood.

For

For the space of nine months after the arrival of general Gage, the behaviour of the people of Boston is particularly worthy of imitation by those who wish to overturn established governments. They conducted their opposition with exquisite address. They avoided every kind of outrage and violence, preserved peace and good order among themselves, successfully engaged the other colonies to make a common cause with them, and counteracted general Gage so effectually as to prevent his doing any thing for his royal master, while by patience and moderation they screened themselves from censure. Though resolved to bear as long as prudence and policy dictated, they were all the time preparing for the last extremity. They were furnishing themselves with arms and ammunition, and training their militia.

Provisions were also collected and stored in different places, particularly at Concord, about twenty miles from Boston. General Gage, though zealous for his master's interest, discovered a prevailing desire for a peaceable accommodation. He wished to prevent hostilities by depriving the inhabitants of the means necessary for carrying them on. With this view he determined to destroy the stores which he knew were collected for the support of a provincial army. Wishing to accomplish this without bloodshed, he took every precaution to effect it by surprise, and without alarming the country. At eleven o'clock at night on the 18th of April, 800 grenadiers and light-infantry, the flower of the royal army, embarked at the Common, landed at Phipps's Farm, and marched for Concord, under the command of lieutenant-colonel Smith. Neither the secrecy with which this expedition was planned, the privacy with which the troops marched out, nor an order that no one inhabitant should leave Boston, were sufficient to prevent intelligence from being sent to the country militia, of what was going on. About two in the morning 130 of the Lexington militia had assembled to oppose them, but the air being chilly and intelligence respecting the regulars uncertain, they were dismissed, with orders to appear again at beat of drum. They collected

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lected a second time to the number of 70, between four and five o'clock in the morning, and the British regulars soon after made their appearance. Major Pitcairn, who led the advanced corps, rode up to them, and called out, "Disperse, you rebels; throw down your arms and disperse." They still continued in a body, on which he advanced nearer, discharged his pistol, and ordered his soldiers to fire. This was done with a huzza. A dispersion of the militia was the consequence, but the firing of the regulars was nevertheless continued. Individuals, finding they were fired upon, though dispersing, returned the fire. Three or four of the militia were killed on the green; a few more were shot after they had begun to disperse. The royal detachment proceeded on to Concord, and executed their commission. They disabled two twenty-four pounders, threw 500lb. of ball into rivers and wells, and broke in pieces about sixty barrels of flour. Mr. John Butterick of Concord, major of a minute regiment, not knowing what had passed at Lexington, ordered his men not to give the first fire, that they might not be the aggressors. Upon his approaching near the regulars, they fired, and killed captain Isaac Davis, and one private of the provincial minute-men. The fire was returned, and a skirmish ensued. The king's troops having done their business, began their retreat towards Boston. This was conducted with expedition, for the adjacent inhabitants had assembled in arms, and began to attack them in every direction. In their return to Lexington they were exceedingly annoyed, both by those who pressed on their rear, and others, who pouring in on all sides, fired from behind stone walls, and similar coverts, which supplied the place of lines and redoubts. At Lexington the regulars were joined by a detachment of 900 men, under lord Piercy, which had been sent out by general Gage to support lieutenant-colonel Smith. This reinforcement having two pieces of cannon, awed the provincials, and kept them at a greater distance, but they continued a constant, though irregular and scattering fire, which did great execution. The close firing from behind the walls by good marksmen, put the regular troops in

no small confusion, but they nevertheless kept up a brisk retreating fire on the militia and minute-men. A little after sunset the regulars reached Bunker's Hill, worn down with excessive fatigue, having marched that day between thirty and forty miles. On the next day they crossed Charlestown ferry, and returned to Boston.

There never were more than 400 provincials engaged at one time, and often not so many; as some tired and retreated, others came up and took their places. There was scarcely any discipline observed among them: Officers and privates fired when they were ready, and saw a royal uniform, without waiting for the word of command. Their knowledge of the country enabled them to gain opportunities by crossing fields and fences, and to act as flanking parties against the king's troops, who kept to the main road.

The regulars had 65 killed, 180 wounded, and 28 made prisoners. Of the provincials 50 were killed, and 38 wounded and missing.

As arms were to decide the controversy, it was fortunate for the Americans that the first blood was drawn in New-England. The inhabitants of that country are so connected with each other by descent, manners, religion, politics, and a general equality, that the killing of a single individual interested the whole, and made them consider it as a common cause. The blood of those who were killed at Lexington and Concord proved the firm cement of an extensive union.

To prevent the people within Boston from co-operating with their countrymen without in case of an assault, which was now daily expected, general Gage, on the 22d of April, agreed with a committee of the town, that upon the inhabitants lodging their arms in Faneuil-hall, or any other convenient place, under the care of the selectmen, all such inhabitants as were inclined, might depart from the town, with their families and effects. In five days after the ratification of this agreement, the inhabitants had lodged 1778 fire-arms, 634 pistols, 273 bayonets, and 38 blunderbusses. The agreement was well observed in the beginning, but after a short time obstructions

tions were thrown in the way of its final completion, on the plea that persons who went from Boston to bring in the goods of those who chose to continue within the town, were not properly treated. Congress remonstrated on the infraction of the agreement, but without effect. The general, on a farther consideration of the consequences of moving the whigs out of Boston, evaded it in a manner not consistent with good faith. He was in some measure compelled to adopt this dishonourable measure, from the clamour of the tories, who alleged, that none but enemies to the British government were disposed to remove, and that when they were all safe with their families and effects, the town would be set on fire. To prevent the provincials from obtaining supplies, which they much wanted, a quibble was made on the meaning of the word effects, which was construed by the general as not including merchandise. By this construction, unwarranted by every rule of genuine interpretation, many who quitted the town were deprived of their usual resources for a support. Passports were not universally refused, but were given out very slowly, and the business was so conducted that families were divided, wives were separated from their husbands, children from their parents; and the aged and infirm from their relations and friends. The general discovered a disinclination to part with the women and children, thinking that, on their account, the provincials would be restrained from making an assault on the town. The select-men gave repeated assurances that the inhabitants had delivered up their arms, but as a cover for violating the agreement, general Gage issued a proclamation, in which he asserted that he had full proof to the contrary. A few might have secreted some favourite arms, but nearly all the training arms were delivered up. On this flimsy pretence the general sacrificed his honour to policy and the clamours of the tories. Contrary to good faith he detained many, though fairly entitled by agreement to go out, and when he admitted the departure of others he would not allow them to move their families and effects.

The provincial congress of Massachusetts, which was in session at the time of the Lexington battle, despatched an account of it to Great Britain, accompanied with many depositions, to prove that the British troops were the aggressors. They also made an address to the inhabitants of Great Britain, in which, after complaining of their sufferings, they say, "These have not yet detached us from our royal sovereign; we profess to be his loyal and dutiful subjects; and though hardly dealt with, as we have been, are still ready, with our lives and fortunes, to defend his person, crown, and dignity; nevertheless, to the persecution and tyranny of his evil ministry, we will not tamely submit. Appealing to heaven for the justice of our cause, we determine to die or be free." From the commencement of hostilities, the dispute between Great Britain and the colonies took a new direction.

Intelligence that the British troops had marched out of Boston into the country on some hostile purpose, being forwarded by expresses from one committee to another, great bodies of the militia, not only from Massachusetts but the adjacent colonies, grasped their arms, and marched to oppose them. The colonies were in such a state of irritability, that the least shock in any part was, by a powerful and sympathetic affection, instantaneously felt throughout the whole. The Americans who fell were revered by their countrymen, as martyrs who had died in the cause of liberty. Resentment against the British burned more strongly than ever. Martial rage took possession of the breasts of thousands. Combinations were formed and associations subscribed, binding the inhabitants to one another by the sacred ties of honour, religion, and love of country, to do whatever their public bodies directed for the preservation of their liberties. Hitherto the Americans had no regular army. From principles of policy they cautiously avoided that measure, lest they might subject themselves to the charge of being aggressors. All their military regulations were carried on by their militia, and under the old established laws of the land. For the defence of the colonies, the
inhaba-

inhabitants had been, from their early years, enrolled in companies, and taught the use of arms. The laws for this purpose had never been better observed than for some months previous to the Lexington battle. These military arrangements, which had been previously adopted for defending the colonies from hostile French and Indians, were on this occasion turned against the troops of the parent state. Forts, magazines, and arsenals, by the constitution of the country, were in the keeping of his majesty. Immediately after the Lexington battle, these were for the most part taken possession of throughout the colonies, by parties of the provincial militia. Ticonderoga, in which was a small royal garrison, was surprised and taken by adventurers from different states. Public money which had been collected in consequence of previous grants, was also seized for common services. Before the commencement of hostilities these measures would have been condemned by the moderate even among the Americans; but that event justified a bolder line of opposition than had been adopted. Several citizens having been put to death by British troops, self-preservation dictated measures which, if adopted under other circumstances, would have disunited the colonists. One of the most important of this kind was the raising of an army. Men of warm tempers, whose courage exceeded their prudence, had for months urged the necessity of raising troops; but they were restrained by the more moderate, who wished that the colonies might avoid extremities, or at least that they might not lead in bringing them on. The provincial congress of Massachusetts voted that "an army of 30,000 men be immediately raised, that 13,600 be of their own province, and that a letter and delegate be sent to the several colonies of New-Hampshire, Connecticut, and Rhode-Island." In consequence of this vote, the business of recruiting was begun, and in a short time a provincial army was paraded in the vicinity of Boston, which, though far below what had been voted by the provincial congress, was much superior in numbers to the royal army. The command of this force was given to general Ward.

Soon after the Lexington battle, and in consequence of that event, not only the arms, ammunition, forts, and fortifications, in the colonies were secured for the use of the provincials, but regular forces were raised, and money struck for their support. These military arrangements were not confined to the New-England States, but were general throughout the colonies. The determination of the king and parliament to enforce submission to their acts, and the news of the Lexington battle, came to the distant provinces nearly about the same time. It was supposed by many that the latter was in consequence of the former, and that general Gage had recent orders to proceed immediately to subdue the refractory colonists.

Resistance therefore being resolved upon by the Americans, the pulpit, the press, the bench, and the bar, severally laboured to unite and encourage them. The clergy of New-England were a numerous, learned, and respectable body, who had a great ascendancy over the minds of their hearers. They connected religion and patriotism, and in their sermons and prayers represented the cause of America as the cause of heaven. The synod of New-York and Philadelphia also sent forth a pastoral letter, which was publicly read in their churches. This earnestly recommended such sentiments and conduct as were suitable to their situation. Writers and printers followed in the rear of the preachers, and next to them had the greatest hand in animating their countrymen. Gentlemen of the bench and of the bar denied the charge of rebellion, and justified the resistance of the colonists. A distinction founded on law between the king and his ministry was introduced. The former, it was contended, could do no wrong. The crime of treason was charged on the latter, for using the royal name to varnish their own unconstitutional measures. The phrase of a ministerial war became common, and was used as a medium for reconciling resistance with allegiance.

Coëval with the resolutions for organizing an army, was one appointing the 20th day of July 1775, a day of public humiliation, fasting, and prayer to Almighty God, "to bless their rightful sovereign king George, and to

inspire him with wisdom to discern and pursue the true interest of his subjects; and that the British nation might be influenced to regard the things that belonged to her peace, before they were hid from her eyes---that the colonies might be ever under the care and protection of a kind Providence, and be prospered in all their interests---that America might soon behold a gracious interposition of Heaven for the redress of her many grievances, the restoration of her invaded rights, and a reconciliation with the parent state on terms constitutional and honourable to both." The forces which had been collected in Massachusetts, were stationed in convenient places for guarding the country from farther excursions of the regulars from Boston. Breastworks were also erected in different places for the same purpose. While both parties were attempting to carry off stock from the several islands with which the bay of Boston is agreeably diversified, some skirmishes took place. These were of real service to the Americans. They habituated them to danger; and perhaps much of the courage of old soldiers is derived from an experimental conviction that the chance of escaping unhurt from engagements is much greater than young recruits suppose.

About the latter end of May a great part of the reinforcements ordered from Great Britain, arrived at Boston. Three British generals, Howe, Burgoyne, and Clinton, whose behaviour in the preceding war had gained them great reputation, also arrived on the 25th of May. General Gage, thus reinforced, prepared for acting with more decision; but before he proceeded to extremities he conceived it due to ancient forms to issue a proclamation, holding forth to the inhabitants the alternative of peace or war. He, therefore*, offered pardon in the king's name to all who should forthwith lay down their arms and return to their respective occupations and peaceable duties, excepting only from the benefit of that pardon Samuel Adams and John Hancock, whose offences were said to be of too flagitious a nature to ad-

* June 12.

mit of any other consideration than that of condign punishment. He also proclaimed that not only the persons above named and excepted, but also all their adherents, associates, and correspondents, should be deemed guilty of treason and rebellion, and treated accordingly. By this proclamation it was also declared, "that as the courts of judicature were shut, martial law should take place, till a due course of justice should be re-established." It was supposed that this proclamation was a prelude to hostilities, and preparations were accordingly made by the Americans. A considerable height, by the name of Bunker's Hill, just at the entrance of the peninsula of Charlestown, was so situated as to make the possession of it a matter of great consequence to either of the contending parties. Orders were therefore issued on the 16th of June, by the provincial commanders, that a detachment of a thousand men should entrench upon this height. By some mistake, Breed's Hill, high and large, like the other, but situated near Boston, was marked out for the entrenchments, instead of Bunker's Hill. The provincials proceeded to Breed's Hill, and worked with so much diligence, that between midnight and the dawn of the morning they had thrown up a small redoubt about eight rods square. They kept such a profound silence, that they were not heard by the British, on board their vessels, though very near. These having derived their first information of what was going on from the sight of the work near completion, began an incessant firing upon them. The provincials bore this with firmness, and though they were only young soldiers, continued to labour till they had thrown up a small breastwork, extending from the east side of the breastwork to the bottom of the hill. As this eminence overlooked Boston, general Gage thought it necessary to drive the provincials from it. About noon therefore of the 7th, he detached major-general Howe, and brigadier-general Pigot, with the flower of the army, consisting of four battalions, ten companies of the grenadiers, and ten of light infantry, with a proportion of field artillery, to effect this business. These troops landed at Moreton's Point, and formed

after landing, but remained in that position till they were reinforced by a second detachment of light-infantry and grenadier companies, a battalion of land forces, and a battalion of marines, making in the whole near 3000 men. While the troops who first landed were waiting for this reinforcement, the provincials, for their farther security, pulled up some adjoining post and rail fences, and set them down in two parallel lines at a small distance from each other, and filled the space between with hay, which having been lately mowed, remained on the adjacent ground.

The king's troops formed in two lines, and advanced slowly, to give their artillery time to demolish the American works. While the British were advancing to the attack, they received orders to burn Charlestown. This was not done because they were fired upon from the houses in that town, but from the military policy of depriving enemies of a cover in their approaches. In a short time this ancient town, consisting of about 500 buildings, chiefly of wood, was in one great blaze. The lofty steeple of the meeting-house formed a pyramid of fire above the rest, and struck the astonished eyes of numerous beholders with a magnificent but awful spectacle. In Boston the heights of every kind were covered with the citizens, and such of the king's troops as were not on duty. The hills around the adjacent country, which afforded a safe and distinct view, were occupied by the inhabitants of the country.

Thousands, both within and without Boston, were anxious spectators of the bloody scene. The honour of British troops beat high in the breasts of many, while others, with a keener sensibility, felt for the liberties of a great and growing country. The British moved on but slowly, which gave the provincials a better opportunity for taking aim. The latter, in general, reserved themselves till their adversaries were within ten or twelve rods, but then began a furious discharge of small arms. The stream of the American fire was so incessant, and did so great execution, that the king's troops retreated in disorder and precipitation. Their officers rallied them and pushed

pushed them forward with their swords, but they returned to the attack with great reluctance. The Americans again reserved their fire till their adversaries were near, and then put them a second time to flight. General Howe and the officers redoubled their exertions, and were at last successful, though the soldiers discovered a great aversion to going on. By this time the powder of the Americans began so far to fail, that they were not able to keep up the same brisk fire as before. The British also brought some cannon to bear, which raked the inside of the breast-work from end to end. The fire from the ships, batteries, and field artillery, was redoubled. The soldiers in the rear were goaded by their officers. The redoubt was attacked on three sides at once. Under these circumstances a retreat from it was ordered, but the provincials delayed, and made resistance with their discharged muskets, as if they had been clubs, so long that the king's troops, who easily mounted the works, had half filled the redoubt before it was given up to them.

While these operations were going on at the breast-work and redoubt, the British light-infantry were attempting to force the left point of the former, that they might take the American line in flank. Though they exhibited the most undaunted courage, they met with an opposition which called for its greatest exertions. The provincials here, in like manner, reserved their fire till their adversaries were near, and then poured it upon the light-infantry, with such an incessant stream, and in so true a direction, as mowed down their ranks. The engagement was kept up on both sides with great resolution. The persevering exertions of the king's troops could not compel the Americans to retreat, till they observed that their main body had left the hill. This, when begun, exposed them to new danger, for it could not be effected but by marching over Charlestown Neck, every part of which was raked by the shot of the Glasgow man of war, and of two floating batteries. The incessant fire kept up across this Neck prevented any considerable reinforcement from joining their countrymen who were engaged; but the few who fell on their retreat over the same ground

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proved that the apprehensions of those provincial officers who declined passing over to succour their companions, were without any solid foundation.

The number of Americans engaged amounted only to 1500. It was apprehended that the conquerors would push the advantages they had gained, and march immediately to the American head quarters at Cambridge, but they advanced no farther than Bunker's Hill; there they threw up works for their own security. The provincials did the same on Prospect Hill in front of them. Both were guarding against an attack, and both were in a bad condition to receive one. The loss of the peninsula depressed the spirits of the Americans, and their great loss of men produced the same effect on the British. There have been few battles in modern wars, in which, all circumstances considered, there was a greater destruction of men than in this short engagement. The loss of the British, as acknowledged by general Gage, amounted to 1054. Nineteen commissioned officers were killed, and 70 more were wounded. The battle of Quebec in 1759, which gave Great Britain the province of Canada, was not so destructive to British officers as this affair of a slight entrenchment, the work only of a few hours. That the officers suffered so much, must be imputed to their being aimed at. None of the provincials in this engagement were riflemen, but they were all good marksmen. The whole of their previous military knowledge had been derived from hunting, and the ordinary amusements of sportsmen. The dexterity which by long habit they had acquired in hitting beasts, birds, and marks, was fatally applied to the destruction of British officers. From their fall much confusion was expected; they were therefore particularly singled out. Most of those who were near the person of general Howe were either killed or wounded; but the general, though he greatly exposed himself, was unhurt. The light-infantry and grenadiers lost three-fourths of their men. Of one company not more than five, and of another, not more than fourteen escaped. The unexpected resistance of the Americans was such as wiped away the reproaches of cowardice, which had been
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cast on them by their enemies in Britain. The spirited conduct of the British officers merited and obtained great applause, but the provincials were justly entitled to a large portion of the same, for having made the utmost exertions of their adversaries necessary to dislodge them from lines, which were the work only of a single night. The Americans lost five pieces of cannon. Their killed amounted to 139: Their wounded and missing to 314. Thirty of the former fell into the hands of the conquerors. They particularly regretted the death of general Warren. To the purest patriotism and most undaunted bravery, he added the virtues of domestic life, the eloquence of an accomplished orator, and the wisdom of an able statesman. Nothing but a regard to the liberty of his country induced him to oppose the measures of government. He aimed not at a separation from, but a coalition with the mother-country. He took an active part in defence of his country, not that he might be applauded and rewarded for a patriotic spirit, but because he was, in the best sense of the word, a real patriot. Having no interested or personal views to answer, the friends of liberty confided in his integrity. The soundness of his judgment, and his abilities as a public speaker, enabled him to make a distinguished figure in public councils; but his intrepidity and active zeal induced his countrymen to place him in the military line. Within four days after he was appointed a major-general, he fell a noble sacrifice to a cause which he had espoused from the purest principles. Like Hampden he lived and like Hampden he died, universally beloved and universally regretted. His many virtues were celebrated in an elegant eulogium written by Dr. Rush, in language equal to the illustrious subject.

The burning of Charlestown, though a place of great trade, did not discourage the provincials. It excited resentment and execration, but not any disposition to submit. Such was the high-toned state of the public mind, and so great the indifference for property, when put in competition with liberty, that military conflagrations, though they distressed and impoverished, had no tendency to subdue the colonists.

colonists. They might answer in the old world, but were not calculated for the new, where the war was undertaken, not for a change of matters, but for securing essential rights.

It has already been mentioned, that congress, previous to its dissolution, on the 26th of October 1774, recommended to the colonies to chuse members for another to meet on the 10th of May 1775, unless the redress of their grievances was previously obtained. A circular letter had been addressed by lord Dartmouth, to the several colonial governors, requesting their interference to prevent the meeting of this second congress; but ministerial requisitions had lost their influence, delegates were elected not only for the twelve colonies that were before represented, but also for the parish of St. John's in Georgia, and in July following, for the whole province. The time of the meeting of this second congress was fixed at so distant a day, that an opportunity might be afforded for obtaining information of the plans adopted by the British parliament in the winters of 1774 and 1775. Had these been favourable, the delegates would either not have met, or dispersed after a short session; but as the resolution was then fixed to compel the submission of the colonies, and hostilities had already commenced, the meeting of congress on the 10th of May, which was at first eventual, became fixed.

On their meeting they chose Peyton Randolph for their president, and Charles Thomson for their secretary. On the next day Mr. Hancock laid before them a variety of depositions, proving that the king's troops were the aggressors in the late battle at Lexington, together with other papers relative to the great events which had lately taken place in Massachusetts: Whereupon congress resolved itself into a committee of the whole, to take into consideration the state of America. They proceeded in the same line of moderation and firmness, which marked the acts of their predecessors in the past year.

The city and county of New-York having applied to congress for advice, how they should conduct themselves with regard to the troops expected to land there, they were advised "to act on the defensive so long as might be

be consistent with their safety; to permit the troops to remain in the barracks so long as they behaved peaceably, but not to suffer fortifications to be erected, or any steps to be taken for cutting off the communication between the town and country." Congress also, on the 17th of May, resolved, "That exportation to all parts of British America, which had not adopted their association, should immediately cease;" and that "no provision of any kind, or other necessities, be furnished to the British fisheries on the American coasts." And "that no bill of exchange, draught, or order of any officer in the British army or navy, their agents or contractors, be received or negotiated, or any money supplied them by any person in America—that no provisions or necessities of any kind be furnished or supplied to or for the use of the British army or navy, in the colony of Massachusetts Bay—that no vessel employed in transporting British troops to America, or from one part of North America to another, or warlike stores or provisions for the said troops, be freighted or furnished with provisions or any necessities." These resolutions may be considered as the counterpart of the British acts for restraining the commerce, and prohibiting the fisheries of the colonies. They were calculated to bring distress on the British islands in the West Indies, whose chief dependance for subsistence was on the importation of provision from the American continent. They also occasioned new difficulties in the support of the British army and fisheries. The colonists were so much indebted to Great Britain, that government bills for the most part found among them a ready market. A war in the colonies was therefore made subservient to commerce, by increasing the sources of remittance. This enabled the mother-country, in a great degree, to supply her troops without shipping money out of the kingdom. From the operation of these resolutions, advantages of this nature were not only cut off, but the supply of the British army rendered both precarious and expensive. In consequence of the interdiction of the American fisheries, great profits were expected by British adventurers in that line. Such frequently found it most convenient to obtain supplies

plies in America for carrying on their fisheries ; but as Great Britain had deprived the colonists of all benefits from that quarter, they now, in their turn, interdicted all supplies from being furnished to British fishermen. To obviate this unexpected embarrassment, several of the vessels employed in this business were obliged to return home to bring out provisions for their associates. These restrictive resolutions were not so much the effect of resentment as of policy. The colonists conceived, that by distressing the British commerce, they would increase the number of those who would interest themselves in their behalf.

The new congress had been convened but a few days, when their venerable president, Peyton Randolph, was under a necessity of returning home. On his departure John Hancock was unanimously chosen his successor. The objects of deliberation presented to this new congress were, if possible, more important than those which in the preceding year had engaged the attention of their predecessors. The colonists had now experienced the inefficacy of those measures, from which relief had been formerly obtained. They found a new parliament disposed to run all risks in enforcing their submission ; they also understood that administration was united against them, and its members firmly established in their places. Hostilities were commenced ; reinforcements had arrived, and more were daily expected. Added to this, they had information that their adversaries had taken measures to secure the friendship and co-operation of the Indians, and also of the Canadians.

The coercion of the colonies being resolved upon, and their conquest supposed to be inevitable, the British ministry judged that it would be for the interest of both countries to proceed in that vigorous course, which bid fairest for the speediest attainment of their object. They hoped, by pressing the colonists on all quarters, to intimidate opposition, and ultimately to lessen the effusion of human blood.

In this awful crisis congress had but a choice of difficulties. The New-England states had already organized an army and blockaded general Gage. To desert them would

would have been contrary to plighted faith and to sound policy; to support them would make the war general, and involve all the provinces in one general promiscuous state of hostility. The resolution of the people in favour of the latter was fixed, and only wanted public sanction for its operation. Congress therefore, on the 26th of May, resolved, "That for the express purpose of defending and securing the colonies, and preserving them in safety, against all attempts to carry the late acts of parliament into execution, by force of arms, they be immediately put in a state of defence; but as they wished for a restoration of the harmony formerly subsisting between the mother-country and the colonies, to the promotion of this most desirable reconciliation, an humble and dutiful petition be presented to his majesty. To resist and to petition were coeval resolutions. As freemen they could not tamely submit, but as loyal subjects, wishing for peace as far as was compatible with their rights, they once more, in the character of petitioners, humbly stated their grievances to the common father of the empire. To dissuade the Canadians from co-operating with the British, they again addressed them, representing the pernicious tendency of the Quebec act, and apologizing for their taking Ticonderoga and Crown-Point, as measures which were dictated by the great law of self-preservation. About the same time congress took measures for warding off the danger that threatened their frontier inhabitants from Indians. Commissioners to treat with them were appointed, and a supply of goods for their use was ordered. A talk was also prepared by congress, and transmitted to them, in which the controversy between Great Britain and her colonies was explained, in a familiar Indian style. They were told that they had no concern in the family quarrel, and were urged by the ties of ancient friendship and a common birth-place, to remain at home, keep their hatchet buried deep, and to join neither side.

The novel situation of Massachusetts made it necessary for the ruling powers of that province to ask the advice of congress on a very interesting subject, "The taking

taking up and exercising the powers of civil government." For many months they had been kept together in tolerable peace and order by the force of ancient habits, under the simple style of recommendation and advice from popular bodies, invested with no legislative authority. But as war now raged in their borders, and a numerous army was actually raised, some more efficient form of government became necessary. At this early day it neither comported with the wishes nor the designs of the colonists to erect forms of government independent of Great Britain; congress therefore recommended only such regulations as were immediately necessary, and these were conformed as nearly as possible to the spirit and substance of the charter, and were only to last till a governor of his majesty's appointment would consent to govern the colony according to its charter.

On the same principles of necessity, another assumption of new powers became unavoidable. The great intercourse that daily took place throughout the colonies, pointed out the propriety of establishing a general post-office. This was accordingly done, and Dr. Franklin, who had by royal authority been dismissed from a similar employment about three years before, was appointed by his country, the head of the new department.

While congress was making arrangements for their proposed continental army, it was thought expedient once more to address the inhabitants of Great Britain, and to publish to the world a declaration setting forth their reasons for taking up arms; to address the speaker and gentlemen of the assembly of Jamaica, and the inhabitants of Ireland; and also to prefer a second humble petition to the king. In their address to the inhabitants of Great Britain, they again vindicated themselves from the charge of aiming at independency, professed their willingness to submit to the several acts of trade and navigation which were passed before the year 1763, recapitulated their reasons for rejecting lord North's conciliatory motion, stated the hardships they suffered from the operations of the royal army in Boston, and insinuated the danger

danger the inhabitants of Britain would be in of losing their freedom, in case their American brethren were subdued.

In their declaration, setting forth the causes and necessity of their taking up arms, they enumerated the injuries they had received, and the methods taken by the British ministry to compel their submission; and then said, "We are reduced to the alternative of chusing an unconditional submission to the tyranny of irritated ministers, or resistance by force. The latter is our choice. We have counted the cost of this contest, and find nothing so dreadful as voluntary slavery." They asserted "that foreign assistance was undoubtedly attainable." This was not founded on any private information, but was an opinion derived from their knowledge of the principles of policy, by which states usually regulate their conduct towards each other.

In their address to the speaker and gentlemen of the assembly of Jamaica, they dilated on the arbitrary systems of the British ministry, and informed them, that in order to obtain a redress of their grievances, they had appealed to the justice, humanity, and interest of Great Britain. They stated, that to make their schemes of non-importation and non-exportation produce the desired effects, they were obliged to extend them to the islands. "From that necessity, and from that alone," said they, "our conduct has proceeded." They concluded with saying, "The peculiar situation of your island forbids your assistance, but we have your good wishes—from the good wishes of the friends of liberty and mankind we shall always derive consolation."

In their address to the people of Ireland they recapitulated their grievances, stated their humble petitions, and the neglect with which they had been treated. "In defence of our persons and properties, under actual violations," said they, "we have taken up arms. When that violence shall be removed, and hostilities cease on the part of the aggressors, they shall cease on our part also."

These several addresses were executed in a masterly manner, and were well calculated to make friends to the

colonies. But their petition to the king, which was drawn up at the same time, produced more solid advantages in favour of the American cause, than any other of their productions. This was in a great measure carried through congress by Mr. Dickinson. Several members, judging from the violence with which parliament proceeded against the colonies, were of opinion that further petitions were nugatory: But this worthy citizen, a friend to both countries, and devoted to a reconciliation on constitutional principles, urged the expediency and policy of trying once more the effect of an humble, decent, and firm petition to the common head of the empire. The high opinion that was conceived of his patriotism and abilities, induced the members to assent to the measure, though they generally conceived it to be labour lost. The petition agreed upon was the work of Mr. Dickinson's pen. In this, among other things, it was stated, "that, notwithstanding their sufferings, they had retained too high a regard for the kingdom from which they derived their origin, to request such a reconciliation as might, in any manner, be inconsistent with her dignity and welfare. Attached to his majesty's person, family, and government, with all the devotion that principle and affection can inspire, connected with Great Britain by the strongest ties that can unite society, and deploring every event that tended in any degree to weaken them, they not only most fervently desired the former harmony between her and the colonies to be restored, but that a concord might be established between them, upon so firm a basis as to perpetuate its blessings, uninterrupted by any future dissensions, to succeeding generations, in both countries. They, therefore, beseeched that his majesty would be pleased to direct some mode by which the united applications of his faithful colonists to the throne, in pursuance of their common councils, might be improved into a happy and permanent reconciliation." By this last clause, it is said that congress meant that the mother-country should propose a plan for establishing, by compact, something like a Magna Charta for the colonies.

This well-meant petition was presented on September 1st, 1775, by Mr. Penn and Mr. Lee; and on the 4th, lord Dartmouth informed them, "that to it no answer would be given." This slight contributed not a little to the union and perseverance of the colonies. When pressed by the calamities of war, a doubt would sometimes arise in the minds of scrupulous persons, that they had been too hasty in their opposition to their protecting parent-state.

A military opposition to the armies of Great Britain being resolved upon by the colonies, it became an object of consequence to fix on a proper person to conduct that opposition. Many of the colonists had titles of high rank in the militia, and several had seen something of real service, in the late war between France and England; but there was no individual of such superior military experience as to entitle him to a decided pre-eminence, or even to qualify him, on that ground, to contend on equal terms with the British masters of the art of war. In elevating one man, by the free voice of an invaded country, to the command of thousands of his equal fellow-citizens, no consideration was regarded but the interest of the community. To bind the uninvaded provinces more closely to the common cause, policy directed the views of congress to the south.

Among the southern colonies, Virginia, for numbers, wealth, and influence, stood pre-eminent. To attach so respectable a colony to the aid of Massachusetts, by selecting a commander in chief from that quarter, was not less warranted by the great military genius of one of her distinguished citizens, than dictated by sound policy. On the 15th of June, George Washington was, by an unanimous vote, appointed commander in chief of all the forces raised, or to be raised, for the defence of the colonies. It was a fortunate circumstance attending his election, that it was accompanied with no competition, and followed by no envy. That same general impulse on the public mind which led the colonists to agree in many other particulars, pointed to him as the most proper person for presiding over the military arrangements of America.

vica. Not only congress, but the inhabitants in the east and west, in the north and the south, as well before as at the time of embodying a continental army, were, in a great degree, unanimous in his favour.

General Washington, Dr. Ramsay informs us, was born on the 11th of February 1732. His education was such as favoured the production of a solid mind and a vigorous body. Mountain air, abundant exercise in the open country, the wholesome toils of the chase, and the delightful scenes of rural life, expanded his limbs to an unusual, but graceful and well-proportioned size. His youth was spent in the acquisition of useful knowledge, and in pursuits tending to the improvement of his fortune, or the benefit of his country. Fitted more for active than for speculative life, he devoted the greater proportion of his time to the former; but this was amply compensated by his being frequently in such situations as called forth the powers of his mind, and strengthened them by repeated exercise. Early in life, in obedience to his country's call, he entered the military line, and begun his career of fame in opposing that power in concert with whose troops he acquired his last and most distinguished honours. He was with general Braddock in 1755, when that unfortunate officer, from an excess of bravery, chose rather to sacrifice his army than retreat from an unseen foe. The remains of that unfortunate corps were brought off the field of battle chiefly by the address and good conduct of colonel Washington. After the peace of Paris, 1763, he retired to his estate, and with great industry and success pursued the arts of peaceful life. When the proceedings of the British parliament alarmed the colonists with apprehensions that a blow was levelled at their liberties, he again came forward into public view, and was appointed a delegate to the congress, which met in September 1774. Possessed of a large proportion of common sense, directed by a sound judgment, he was better fitted for the exalted station to which he was called, than many others who to a greater brilliancy of parts frequently add the eccentricity of original genius. Engaged in the busy scenes of life, he knew human nature, and

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the most proper method of accomplishing the proposed objects. His passions were subdued, and kept in subjection to reason. His soul, superior to party spirit, to prejudice, and illiberal views, moved according to the impulses it received from an honest heart, a good understanding, common sense, and a sound judgment. He was habituated to view things on every side, to consider them in all relations, and to trace the possible and probable consequences of proposed measures. Much addicted to close thinking, his mind was constantly employed. By frequent exercise, his understanding and judgment expanded so as to be able to discern truth, and to know what was proper to be done in the most difficult conjunctures.

Soon after general Washington was appointed commander in chief of the American army, four major-generals, one adjutant-general, with the rank of a brigadier, and eight brigadier-generals, were appointed in subordination to him, which were as follows:

1st. Major-general	Artemas Ward.
2d.	Charles Lee.
3d.	Philip Schuyler.
4th.	Israel Putnam.
Adjutant-general,	Horatio Gates.
The 8 brigadiers were,	
1st.	Seth Pomeroy.
2d.	Richard Montgomery.
3d.	David Wooster.
4th.	William Heath.
5th.	Joseph Spencer.
6th.	John Thomas.
7th.	John Sullivan.
8th.	Nathaniel Greene.

General Washington replied to the president of congress announcing his appointment, in the following words:

" Mr. President,
 " Though I am truly sensible of the high honour done me in this appointment, yet I feel great distress from a consciousness that my abilities and military experience may not be equal to the extensive and important trust:

However, as the congress desire it, I will enter upon the momentous duty, and exert every power I possess in their service, and for support of the glorious cause. I beg they will accept my most cordial thanks for this distinguished testimony of their approbation.

"But, lest some unlucky event should happen unfavourable to my reputation, I beg it may be remembered by every gentleman in the room, that I this day declare, with the utmost sincerity, I do not think myself equal to the command I am honoured with.

"As to pay, Sir, I beg leave to assure the congress, that as no pecuniary consideration could have tempted me to accept this arduous employment, at the expense of my domestic ease and happiness, I do not wish to make any profit from it. I will keep an exact account of my expenses. Those, I doubt not, they will discharge, and that is all I desire."

A special commission was drawn up and presented to him, and at the same time an unanimous resolution was adopted by congress, "That they would maintain and assist him, and adhere to him with their lives and fortunes in the cause of American liberty." Instructions were also given him for his government; by which, after reciting various particulars, he was directed "to destroy, or make prisoners of all persons who now are, or who hereafter shall appear, in arms against the good people of the colonies:" But the whole was summed up in authorising him "to order and dispose of the army under his command, as might be most advantageous for obtaining the end for which it had been raised, making it his special care, in discharge of the great trust committed to him, that the liberties of America received no detriment." About the same time twelve companies of riflemen were ordered to be raised in Pennsylvania, Maryland, and Virginia. The men, to the amount of 1430, were procured and forwarded with great expedition. They had to march from 400 to 700 miles, and yet the whole business was completed, and they joined the American army at Cambridge, in less than two months from the day on which the first resolution for raising them was agreed to.

Coëval

Coëval with the resolutions for raising an army*, was another for emitting a sum not exceeding two millions of Spanish milled dollars, in bills of credit for the defence of America, and the colonies were pledged for the redemption of them. This sum was increased from time to time by further emissions. The colonies having neither money nor revenue at their command, were forced to adopt this expedient, the only one which was in their power for supporting an army. No one delegate opposed the measure. So great had been the credit of the former emissions of paper in the greater part of the colonies, that very few at that time foresaw or apprehended the consequences of unfunded paper emissions; but had all the consequences which resulted from this measure in the course of the war been foreseen, it must, notwithstanding, have been adopted. A happy ignorance of future events, combined with the ardour of the times, prevented many reflections on this subject, and gave credit and circulation to these bills.

General Washington, soon after his appointment to the command of the American army, set out for the camp at Cambridge. On his way thither, he received an address from the provincial congress of New-York, in which they expressed their joy at his appointment; they also said, 'We have the fullest assurances, that whenever this important contest shall be decided by that sondest wish of each American soul—an accommodation with our mother-country—you will cheerfully resign the important deposit committed into your hands, and re-assume the character of our worthiest citizen.' The general, after declaring his gratitude for the regard shown him, added, "Be assured, that every exertion of my worthy colleagues and myself will be extended to the re-establishment of peace and harmony between the mother-country and these colonies. As to the fatal, but necessary operations of war, when we assumed the soldier we did not lay aside the citizen, and we shall most sincerely rejoice with you in that happy hour when the re-establishment of

* June 22.

American

American liberty, on the most firm and solid foundations, shall enable us to return to our private stations, in the bosom of a free, peaceful, and happy country."

The general on his way to camp was treated with the highest honours in every place through which he passed. Large detachments of volunteers, composed of private gentlemen, turned out to escort him. A committee from the Massachusetts congress received him about one hundred miles from Boston, and conducted him to the army. He was soon after addressed by the congress of that colony, in the most affectionate manner; in his answer he said,—
"Gentlemen, your kind congratulations on my appointment and arrival, demand my warmest acknowledgments, and will ever be retained in grateful remembrance. In exchanging the enjoyment of domestic life for the duties of my present honourable but arduous station, I only emulate the virtue and public spirit of the whole province of Massachusetts, which, with a firmness and patriotism without example, has sacrificed all the comforts of social and political life, in support of the rights of mankind and the welfare of our common country. My highest ambition is to be the happy instrument of vindicating these rights, and to see this devoted province again restored to peace, liberty, and safety."

When general Washington arrived at Cambridge*, he was received with the joyful acclamations of the American army. At the head of his troops he published a declaration, previously drawn up by congress, in the nature of a manifesto, setting forth the reasons for taking up arms. In this, after enumerating various grievances of the colonies, and vindicating them from a premeditated design of establishing independent states, it was added, "In our own native land, in defence of the freedom which is our birthright, and which we ever enjoyed till the late violation of it—for the protection of our property, acquired solely by the industry of our forefathers and ourselves, against violence actually offered—we have taken up arms; we shall lay them down when hostilities

* July 3.

shall cease on the part of the aggressors, and all danger of their being renewed shall be removed, and not before."

When general Washington joined the American army, he found the British entrenched on Bunker's Hill, having also three floating batteries in Mystic River, and a twenty-gun ship below the ferry, between Boston and Charlestown. They had also a battery on Copse's Hill, and were strongly fortified on the Neck. The Americans were entrenched at Winter Hill, Prospect Hill, and Roxbury, communicating with one another by small posts, over a distance of ten miles. There were also parties stationed in several towns along the sea-coast. They had neither engineers to plan suitable works, nor sufficient tools for their erection.

In the American camp was collected a large body of men, but without those conveniencies which ancient establishments have introduced for the comfort of regular armies. Instead of tents, sails, now rendered useless by the obstructions of commerce, were applied for their covering; but even of them there was not a sufficiency. The American soldiers having joined the camp in all that variety of clothing which they used in their daily labour, were without uniformity of dress. To abolish provincial distinctions, the hunting-shirt was introduced. They were also without those heads of departments in the line of commissaries or quarter-masters, which are necessary for the regular and economical supply of armies. The troops from Connecticut had proper officers appointed to procure them supplies, but they who came from the other colonies were not so well furnished. Individuals brought to camp their own provision on their own horses. In some parts committees of supplies were appointed, who purchased necessaries at the public expense, sent them on to camp, and distributed them to such as were in want, without any regularity or system; the country afforded provisions, and nothing more was wanting to supply the army than proper systems for their collection and distribution. Other articles, though equally necessary, were almost wholly deficient, and could not be procured but with difficulty. On the 4th of August, the whole stock
of

of powder in the American camp, and in the public magazines of the four New-England provinces, would make but little more than nine rounds a man. The continental army remained in this destitute condition for a fortnight or more. This was generally known among themselves, and was also communicated to the British by a deserter; but they suspecting a plot would not believe it. A supply of a few tons was sent on to them from the committee of Elizabeth-town, but this was done privately, lest the adjacent inhabitants, who were equally destitute, should stop it for their own use. The public rulers in Massachusetts issued a recommendation to the inhabitants, not to fire a gun at a beast, bird, or mark, in order that they might husband their little stock for the more necessary purpose of shooting men. A supply of several thousand pounds weight of powder was soon after obtained from Africa, in exchange for New-England rum. This was managed with so much address, that every ounce for sale in the British forts on the African coasts, was purchased up and brought off for the use of the Americans.

Embarrassments from various quarters occurred in the formation of a continental army. The appointment of general officers made by congress was not satisfactory. Enterprising leaders had come forward with their followers, on the commencement of hostilities, without scrupulous attention to rank. When these were all blended together, it was impossible to assign to every officer the station which his services merited, or his vanity demanded. Materials for a good army were collected. The husbandmen who flew to arms were active, zealous, and of unquestionable courage; but to introduce discipline and subordination among free men, who were habituated to think for themselves, was an arduous labour.

The want of system and of union, under proper heads, pervaded every department. From the circumstance that the persons employed in providing necessaries for the army were unconnected with each other, much waste and unnecessary delays were occasioned. The troops of the different colonies came into service under varied establishments

ments—some were enlisted with the express condition of chusing their officers. The rations promised by the local legislatures varied both as to quantity, quality, and price. To form one uniform mass of these discordant materials, and to subject the licentiousness of independent freemen to the control of military discipline, was a delicate and difficult business.

The continental army put under the command of general Washington, amounted to about 14,500 men. These had been so judiciously stationed round Boston, as to confine the British to the town, and to exclude them from the forage and provisions which the adjacent country and islands in Boston Bay afforded. The force was thrown into three grand divisions. General Ward commanded the right wing at Roxbury: General Lee the left at Prospect Hill; and the centre was commanded by general Washington. In arranging the army, the military skill of adjutant-general Gates was of great service. Method and punctuality were introduced. The officers and privates were taught to know their respective places, and to have the mechanism and movements, as well as the name, of an army.

When some effectual pains had been taken to discipline the army, it was found that the term for which enlistments had taken place, was on the point of expiring. The troops from Connecticut and Rhode-Island were only engaged till the first day of December 1775, and no part of the army longer than the first day of January 1776. Such mistaken apprehensions respecting the future conduct of Great Britain prevailed, that many thought the appearance of a determined spirit of resistance would lead to a redress of all their grievances.

Towards the close of the year (on the 10th of October) general Gage sailed for England, and the command devolved on general Howe.

The Massachusetts assembly and continental congress, both resolved to fit out armed vessels to cruize on the American coast, for the purpose of intercepting warlike stores and supplies designed for the use of the British army. The object was at first limited, but as the prospect

spect of accommodation vanished, it was extended to all British property afloat on the high seas. The Americans were diffident of their ability to do any thing on the water in opposition to the greatest naval power in the world; but, from a combination of circumstances, their first attempts were successful.

On the 29th of November, the Lee privateer, captain Manley, took the brig Nancy, an ordnance vessel from Woolwich, containing a large brass mortar, several pieces of brass cannon, a large quantity of arms and ammunition, with all manner of tools, utensils, and machines, necessary for camps and artillery. Had congress sent an order for supplies, they could not have made out a list of articles more suitable to their situation, than what was thus providentially thrown into their hands.

In about nine days after, three ships, with various stores for the British army, and a brig from Antigua with rum, were taken by Capt. Manley. Before five days more had elapsed, several other store-ships were captured. By these means the distresses of the British troops in Boston were increased, and supplies for the continental army were procured. Naval captures being unexpected, were matter of triumph to the Americans, and of surprise to the British. The latter scarcely believed that the former would oppose them by land with a regular army, but never suspected that a people, so unfurnished as they were with many things necessary for arming vessels, would presume to attempt any thing on water. A spirit of enterprise, invigorated by patriotic zeal, prompted the hardy New-Englandmen to undertake the hazardous business, and their success encouraged them to proceed. Before the close of the year, congress determined to build five vessels of 32 guns, five of 28, and three of 24. While the Americans were fitting out armed vessels, and before they had made any captures, an event took place which would have disposed a less determined people to desist from provoking the vengeance of the British navy. This was the burning of Falmouth in the northern parts of Massachusetts. Captain Mowat, in the Canceaux, of sixteen
guns,

guns, on the 18th of October, destroyed 139 houses, and 278 stores, and other buildings in that town.

This spread an alarm on the coast, but produced no disposition to submit. Many moved from the sea-ports with their families and effects, but no solicitations were preferred for the obtaining of British protection.

In a few days after the burning of Falmouth, the old south meeting-house in Boston was taken into possession by the British, and destined for a riding-school, and the service of the light dragoons. These proceedings produced in the minds of the colonists a more determined spirit of resistance, and a more general aversion to Great Britain.

While these affairs were transacting in other parts, a bold enterprise was undertaken by the Americans against the British possessions on the frontiers of Canada, and this it will be proper to relate before we return to the transactions of the mother-country.

Situated on a promontory, formed at the junction of the waters of Lake George and Lake Champlain, Ticonderoga is the key of all communication between New-York and Canada. Messrs. Deane, Wooster, Parsons, Stevens, and others of Connecticut, planned a scheme for obtaining possession of this valuable post. Having procured a loan of 1800 dollars of public money, and provided a sufficient quantity of powder and ball, they set off for Bennington, to obtain the co-operation of colonel Allen of that place. Two hundred and seventy men, mostly of that brave and hardy people who are called green mountain boys, were speedily collected at Castleton, which was fixed on as the place of rendezvous. At this place colonel Arnold, who, though attended only with a servant, was prosecuting the same object, unexpectedly joined them. He had been early chosen a captain of a voluntier company, by the inhabitants of New-Haven, among whom he resided. As soon as he received news of the Lexington battle, he marched off with his company for the vicinity of Boston, and arrived there, though 150 miles distant, in a few days. Immediately after his arrival he waited on the Massachusetts

committee of safety, and informed them, that there were at Ticonderoga many pieces of cannon, and a great quantity of valuable stores, and that the fort was in a ruinous condition, and garrisoned only by about 40 men. They appointed him a colonel, and commissioned him to raise 400 men, and to take Ticonderoga. The leaders of the party which had previously rendezvoused at Castleton, admitted colonel Arnold to join them, and it was agreed that colonel Allen should be the commander in chief of the expedition, and that colonel Arnold should be his assistant. They proceeded without delay, and arrived in the night of the 9th of May at Lake Champlain, opposite to Ticonderoga. Allen and Arnold crossed over with 83 men, and landed near the garrison. They contended who should go in first, but it was at last agreed that they should both go in together; they advanced abreast, and entered the fort at the dawning of day. A sentry snapped his piece at one of them, and then retreated through the covered way to the parade; the Americans followed, and immediately drew up. The commander, surprised in his bed, was called upon to surrender the fort; he asked by what authority? Colonel Allen replied, "I demand it in the name of the great Jehovah, and of the continental congress." No resistance was made, and the fort, with its valuable stores, and forty-eight prisoners, fell into the hands of the Americans. The boats had been sent back for the remainder of the men, but the business was done before they got over. Colonel Seth Warner was sent off with a party to take possession of Crown Point, where a sergeant and twelve men performed garrison duty. This was speedily effected. The next object calling for the attention of the Americans, was to obtain the command of Lake Champlain; but to accomplish this, it was necessary for them to get possession of a sloop of war, lying at St. John's, at the northern extremity of the lake. With the view of capturing this sloop, it was agreed to man and arm a schooner lying at South Bay, and that Arnold should command her, and that Allen should command some batteaux on the same expedition. A favourable wind carried the schooner a-head of the batteaux,

batteaux, and colonel Arnold got immediate possession of the sloop by surprise. The wind again favouring him, he returned with his prize to Ticonderoga, and rejoined colonel Allen. The latter soon went home, and the former, with a number of men, agreed to remain there in garrison. In this rapid manner the possession of Ticonderoga, and the command of Lake Champlain, were obtained, without any loss, by a few determined men. Intelligence of these events was in a few days communicated to congress, which met for the first time, at ten o'clock of the same day in the morning of which Ticonderoga was taken. They rejoiced in the spirit of enterprise displayed by their countrymen, but feared the charge of being aggressors, or of doing any thing to widen the breach between Great Britain and the colonies; for an accommodation was at that time nearly their unanimous wish. They therefore recommended to the committees of the cities and counties of New-York and Albany, to cause the cannon and stores to be removed from Ticonderoga to the south end of Lake George, and to take an exact inventory of them, "in order that they might be safely returned when the restoration of the former harmony between Great Britain and the colonies, so ardently wished for by the latter, should render it prudent and consistent with the over-ruling law of self-preservation."

Colonel Arnold having begun his military career with a series of successes, was urged by his native impetuosity to project more extensive operations. On the 13th of June he wrote a letter to congress, strongly urging an expedition into Canada, and offering with 2000 men to reduce the whole province. In his ardent zeal to oppose Great Britain, he had advised the adoption of an offensive war, even before congress had organised an army or appointed a single military officer. His importunity was at last successful. Such was the increasing fervour of the public mind in 1775, that what in the early part of the year was deemed violent and dangerous, was in its progress pronounced both moderate and expedient.

Sir Guy Carleton, the king's governor in Canada, no sooner heard that the Americans had surprised Ticonde-

roga and Crown Point, and obtained the command of Lake Champlain, than he planned a scheme for their recovery. Having only a few regular troops under his command, he endeavoured to induce the Canadians and Indians to co-operate with him; but they both declined. He established martial law, that he might compel the inhabitants to take up arms. They declared themselves ready to defend the province, but refused to march out of it, or to commence hostilities on their neighbours. Colonel Johnston had, on the same occasion, repeated conferences with the Indians, and endeavoured to influence them to take up the hatchet; but they steadily refused. In order to gain their co-operation, he invited them to feast on a Bostonian, and to drink his blood. This, in the Indian style, meant no more than to partake of a roasted ox, and a pipe of wine, at a public entertainment, which was given with a design to influence them to co-operate with the British troops. The colonial patriots affected to understand it in its literal sense. It furnished, in their mode of explication, a convenient handle for operating on the passions of the people.

These exertions in Canada, which were principally made with a view to recover Ticonderoga, Crown Point, and the command of Lake Champlain, induced congress to believe that a formidable invasion of their north-western frontier was intended from that quarter. The evident tendency of the Quebec act favoured this opinion. Believing it to be the fixed purpose of the British ministry to attack the united colonies on that side, they conceived that they would be inexcusable if they neglected the proper means for warding off so terrible a blow. They were also sensible that the only practicable plan to effect this purpose, was to make a vigorous attack upon Canada, while it was unable to resist the unexpected impression. Their success at Ticonderoga and Crown Point had already paved the way for this bold enterprise, and had broken down the fences which guarded the entrance into that province. On the other hand, they were sensible that, by taking this step, they changed at once the whole nature of the war. From defensive it became offensive, and

and subjected them to the imputation of being the aggressors. They were well aware, that several who had espoused their cause in Britain would probably be offended at this measure, and charge them with heightening the mischiefs occasioned by the dispute. They knew that the principles of resistance, as far as they had hitherto acted upon them, were abetted by a considerable party even in Great Britain; and that to forfeit their good opinion, might be of great disservice. Considerations of this kind made them weigh well the important step before they ventured upon it. They on the other hand reflected that the eloquence of the minority in parliament, and the petitions and remonstrances of the merchants in Great Britain, had produced no solid advantages in their favour; and that they had no chance of relief but from the smiles of heaven on their own endeavours. The danger was pressing. War was not only inevitable, but already begun. To wait till they were attacked by a formidable force at their backs, in the very instant when their utmost exertions would be requisite, perhaps insufficient, to protect their cities and sea-coast against an invasion from Britain, would be the summit of folly. The laws of war and of nations justified the anticipation of an enemy. The colonists argued, that to prevent known hostile intentions, was a matter of self-defence; they were also sensible they had already gone such lengths as could only be vindicated by arms; and that if a certain degree of success did not attend their resistance, they would be at the mercy of an irritated government, and their moderation in the single instance of Canada would be an unavailing plea for indulgence. They were also encouraged to proceed, by certain information that the French inhabitants of Canada, except the noblesse and the clergy, were as much discontented with their present system of government as even the British settlers. It seemed therefore probable, that they would consider the provincials rather as friends than as enemies. The invasion of that province was therefore determined upon, if found practicable, and not disagreeable to the Canadians.

Congress had committed the management of their military arrangements, in this northern department, to general Schuyler and general Montgomery. While the former remained at Albany, to attend an Indian treaty, the latter was sent forward to Ticonderoga, with a body of troops from New-York and New-England. Soon after reaching Ticonderoga, he made a movement down Lake Champlain. General Schuyler overtook him at Cape la Motte; whence they moved on to Isle aux Noix. About this time general Schuyler addressed the inhabitants, informing them, "that the only views of congress were to restore to them those rights which every subject of the British empire, of whatever religious sentiments he may be, is entitled to; and that in the execution of these trusts he had received the most positive orders to cherish every Canadian, and every friend to the cause of liberty, and sacredly to guard their property." The Americans, about 1000 in number, on the 10th of September effected a landing at St. John's, which being the first British post in Canada, lies only 115 miles to the northward of Ticonderoga. The British pickets were driven into the fort. The environs were then reconnoitred, and the fortifications were found to be much stronger than had been suspected. This induced the calling of a council of war, which recommended a retreat to Isle aux Noix, twelve miles south of St. John's, to throw a boom across the channel, and to erect works for its defence. Soon after this event, an extreme bad state of health induced general Schuyler to retire to Ticonderoga, and the command devolved on general Montgomery.

This enterprising officer in a few days returned to the vicinity of St. John's, and opened a battery against it. Ammunition was so scarce that the siege could not be carried on with any prospect of speedy success. The general detached a small body of troops to attempt the reduction of Fort Chamblee, only six miles distant. Success attended this enterprise. By its surrender six tons of gunpowder were obtained, which enabled the general to prosecute the siege of St. John's with vigour. The garrison, though straitened for provisions, persevered in defending

finding themselves with unabating fortitude. While general Montgomery was prosecuting this siege, the governor of the province collected at Montreal about 800 men, chiefly militia and Indians. He endeavoured to cross the river St. Lawrence with this force, and to land at Longueuil, intending to proceed thence to attack the besiegers; but colonel Warner with 300 green mountain boys and a four-pounder, prevented the execution of the design. The governor's party was suffered to come near the shore, but was then fired upon with such effect as to make them retire, after sustaining great loss.

An account of this affair being communicated to the garrison in St. John's, major Preston, the commanding officer, surrendered, on receiving honourable terms of capitulation. By these it was agreed, that the garrison should march out with the honours of war, that the officers and privates should ground their arms on the plain, the officers keep their side-arms, and their fire-arms be reserved for them, and that the people of the garrison should retain their effects. About 500 regulars and 100 Canadians became prisoners to the provincials. They also acquired 39 pieces of cannon, 7 mortars, and 2 howitzers, and about 800 stand of arms. Among the cannon were many brass field-pieces, an article of which the Americans were nearly destitute.

While the siege of St. John's was pending, colonel Allen, who was returning with about 80 men from a tour on which he had been sent by his general, was captured by the British near Montreal, loaded with irons, and in that condition sent to England. Major Brown had proposed that colonel Allen should return to Longueuil, procure canoes, and cross the river St. Lawrence a little to the north of Montreal, while he with a force of about 200 men crossed a little to the south of it. The former crossed in the night, but the latter by some means failed on his part. Colonel Allen found himself the next morning unsupported, and exposed to immediate danger, but, nevertheless, concluded on maintaining his ground. General Carleton, knowing his weakness, marched out against him with a superior force. The colonel defended himself

himself with his wonted bravery, but being deserted by several of his party, and having lost fifteen of his men, he was compelled to surrender with the remainder, amounting to 38.

After the reduction of St. John's, general Montgomery proceeded towards Montreal. The few British forces there, unable to stand their ground, repaired for safety on board the shipping, in hopes of escaping down the river; but they were prevented by colonel Easton, who was stationed at the point of Sorel river with a number of continental troops, some cannon, and an armed gondola. General Prescott, who was on board with several officers, and about 120 privates, having no chance to escape, submitted to be prisoners on terms of capitulation. Eleven sail of vessels with all their contents, consisting of ammunition, provision, and entrenching tools, became the property of the provincials. Governor Carleton was about this time conveyed in a boat with muffled paddles by a secret way to the Three Rivers, and thence to Quebec in a few days.

When Montreal was evacuated by the troops, the inhabitants applied to general Montgomery for a capitulation. He informed them, that as they were defenceless, they could not expect such a concession, but he engaged upon his honour to maintain the individuals and religious communities of the city, in the peaceable enjoyment of their property, and the free exercise of their religion. In all his transactions, he spoke, wrote, and acted, with dignity and propriety, and in particular treated the inhabitants with liberality and politeness.

Montreal, which at this time surrendered to the provincials, carried on an extensive trade, and contained many of those articles, which from the operation of the resolutions of congress could not be imported into any of the united colonies. From these stores the American soldiers, who had hitherto suffered from the want of suitable clothing, obtained a plentiful supply.

General Montgomery, after leaving some troops in Montreal, and sending detachments into different parts of the province to encourage the Canadians, and to forward

ward provisions, advanced towards the capital. His little army arrived with expedition before Quebec. Success had hitherto crowned every attempt of general Montgomery, but notwithstanding his situation was very embarrassing. Much to be pitied is the officer, who having been bred to arms in the strict discipline of regular armies, is afterwards called to command men who carry with them the spirit of freedom into the field. The greater part of the Americans, officers as well as soldiers, having never seen any service, were ignorant of their duty, and but feebly impressed with the military ideas of union, subordination, and discipline. The army was continental in name and pay, but in no other respect. Not only the troops of different colonies conceived themselves independent of each other, but in some instances the different regiments of the same colony were backward to submit to the orders of officers in a higher rank of another line. The troops under the immediate command of general Montgomery were also, from their usual habits, averse to the ideas of subordination, and had suddenly passed from domestic ease, to the numberless wants and distresses which are incident to marches through strange and desert countries. Every difficulty was increased by the short term for which they were enlisted. To secure the affections of the Canadians, it was necessary for the American general to restrain the appetites, and control the licentiousness of his soldiery, while the appearance of military harshness was dangerous, lest their good will might be forfeited. In this choice of difficulties, the genius of Montgomery surmounted many obstacles. During his short but glorious career, he conducted himself with so much prudence, as to make it doubtful whether we ought to admire most the goodness of the man or the address of the general.

About the same time that Canada was invaded, in the usual route from New-York, a considerable detachment from the American army at Cambridge was conducted into that royal province by a new and unexpected passage. Colonel Arnold, who successfully conducted this bold undertaking, thereby acquired the name of the American Hannibal.

Hannibal. On the 13th of September he was detached with a thousand men from Cambridge to penetrate into Canada, by ascending the river Kennebeck, and descending by the Chaundiere to the river St. Lawrence. Great were the difficulties these troops had to encounter in marching by an unexplored route 300 miles through an uninhabited country. In ascending the Kennebeck, they were constantly obliged to work upwards against an impetuous current. They were often compelled, by cataraacts or other impediments, to land and to haul their batteaux up rapid streams and over falls of rivers. Nor was their march by land more eligible than this passage by water. They had deep swamps, thick woods, difficult mountains, and craggy precipices alternately to encounter. At some places they had to cut their way for miles together through forests so embarrassed, that their progress was only four or five miles a day. The constant fatigue caused many men to fall sick. One third of the number which set out were, from want of necessities, obliged to return; the others proceeded with unabated fortitude and constancy. Provisions grew at length so scarce, that some of the men ate their dogs, cartouch-boxes, breeches, and shoes. When they were an hundred miles from any habitation or prospect of a supply, their whole store was divided, which yielded four pints of flour for each man. After they had baked and eaten their last morsel, they had thirty miles to travel before they could expect any farther supply. The men bore up under these complicated distresses with the greatest fortitude. They gloried in the hope of completing a march which would rival the fame of similar expeditions undertaken by the heroes of antiquity. Having spent thirty-one days in traversing a hideous wilderness, without ever seeing any thing human, they at length reached the inhabited parts of Canada. They were there well received, and supplied with every thing necessary for their comfort. The Canadians were struck with amazement when they saw this armed force emerging from the wilderness. It had never entered their conceptions that it was possible for human beings to traverse such immense wilds. The most pointed

pointed instructions had been given to this corps, to conciliate the affections of the Canadians. It was particularly enjoined upon them, if the son of lord Chatham, then an officer in one of the British regiments in that province, should fall into their hands, to treat him with all possible attention, in return for the great exertions of his father in behalf of American liberty. A manifesto, subscribed by general Washington, which had been sent from Cambridge with this detachment, was circulated among the inhabitants of Canada. In this they were invited to arrange themselves under the standard of general liberty; and they were informed that the American army was sent into the province, not to plunder, but to protect them.

While general Montgomery lay at Montreal, colonel Arnold arrived* at Point Levy opposite to Quebec. Such was the consternation of the garrison and inhabitants at his unexpected appearance, that had not the river intervened, an immediate attack in the first surprise and confusion, might have been successful. The bold enterprise of one American army marching through the wilderness, at a time when success was crowning every undertaking of another invading in a different direction, struck terror into the breasts of those Canadians who were unfriendly to the designs of congress. The embarrassments of the garrison were increased by the absence of sir Guy Carleton; that gallant officer, on hearing of Montgomery's invasion, prepared to oppose him in the extremes of the province. While he was collecting a force to attack invaders in one direction, a different corps, emerging out of the depths of an unexplored wilderness, suddenly appeared from another. In a few days after colonel Arnold had arrived at Point Levy, he crossed the river St. Lawrence, but his chance of succeeding by a coup de main was in that short space greatly diminished. The critical moment was passed. The panic occasioned by his first appearance had abated, and solid preparations for the defence of the town were adopted. The inhabitants, both

* November 8.

English

English and Canadians, as soon as danger pressed, united for their common defence. Alarmed for their property, they were, at their own request, embodied for its security. The sailors were taken from the shipping in the harbour, and put to the batteries on shore. As colonel Arnold had no artillery, after parading some days on the heights near Quebec, he drew off his troops, intending nothing more until the arrival of Montgomery, than to cut off supplies from entering the garrison.

So favourable were the prospects of the united colonies at this period, that general Montgomery set on foot a regiment of Canadians, to be in the pay of congress. James Livingston, a native of New-York, who had long resided in Canada, was appointed to the command of it, and several recruits were engaged for the term of twelve months. The inhabitants on both sides of the river St. Lawrence were very friendly; expresses in the employ of the Americans went without molestation backwards and forwards between Montreal and Quebec. Many individuals performed signal services in favour of the invading army. Among a considerable number Mr. Price stands conspicuous, who advanced 5000*l.* in specie for their use.

Various causes had contributed to attach the inhabitants of Canada, especially those of the inferior classes, to the interest of congress, and to alienate their affections from the government of Great Britain. The contest was for liberty, and there is something in that sound captivating to the mind of man in a state of original simplicity. It was for the colonies, and Canada was also a colony. The objects of the war were therefore supposed to be for their common advantage. The form of government lately imposed on them by act of parliament, was far from being so free as the constitutions of the other colonies, and was in many respects particularly oppressive. The common people had no representative share in enacting the laws by which they were to be governed, and were subjected to the arbitrary will of persons over whom they had no constitutional control. Distinctions so degrading were not unobserved by the native Canadians, but were
more

more obvious to those who had known the privileges enjoyed in the neighbouring provinces. Several individuals educated in New-England and New-York, with the high ideas of liberty inspired by their free constitutions, had, in the interval between the peace of Paris 1763, and the commencement of the American war, migrated into Canada. Such sensibly felt the difference between the governments they had left, and the arbitrary constitution imposed on them, and both from principle and affection earnestly persuaded the Canadians to make a common cause with the united colonies.

Though motives of this kind induced the peasantry of the country to espouse the interest of congress, yet individuals, and some whole orders of men, threw the weight of their influence into the opposite scale. The legal privileges which the Roman catholic clergy enjoyed, made them averse to a change, lest they should be endangered by a more intimate connexion with their protestant neighbours. They used their influence in the next world, as an engine to operate on the movements of the present. They refused absolution to such of their flocks as abetted the Americans. This interdiction of the joys of heaven, by those who were supposed to hold the keys of it, operated powerfully on the opinions and practices of the superstitious multitude. The seigneurs had also immunities unknown in the other colonies. Such is the fondness for power in every human breast, that revolutions are rarely favoured by any order of men who have reason to apprehend that their future situation will, in case of a change, be less pre-eminent than before. The sagacious general Montgomery, no less a man of the world than an officer, discovered great address in accommodating himself to these clashing interests. Though he knew the part the popish clergy had acted in opposition to him, yet he conducted himself towards them as if totally ignorant of the matter, and treated them and their religion with great respect and attention. As far as he was authorised to promise, he engaged that their ecclesiastical property should be secured, and the free exercise of their religion continued. To all he held forth the flattering idea of calling

a convention of representatives, freely chosen, to institute by its own will, such a form of government as they approved. While the great mind of this illustrious man was meditating schemes of liberty and happiness, a military force was collecting and training to oppose him, which in a short time put a period to his valuable life.

At the time the Americans were before Montreal, general Carleton, as has been related, escaped through their hands, and got safe to Quebec. His presence was itself a garrison. The confidence reposed in his talents, inspired the men under his command to make the most determined resistance. Soon after his arrival he issued a proclamation, setting forth, "That all persons liable to do militia duty, and residing in Quebec, who refused to arm in conjunction with the royal army, should in four days quit Quebec with their families, and withdraw themselves from the limits of the district by the first of December, on pain of being treated afterwards as spies or rebels." All who were unwilling to co-operate with the British army, being thus disposed of, the remaining inhabitants, though unused to arms, became in a little time so far acquainted with them as to be very useful in defending the town. They supported fatigues, and submitted to command, with a patience and cheerfulness that could not be exceeded by men familiarized to the hardships and subordination of a military life.

General Montgomery having on the 1st of December effected at Point aux Trembles a junction with colonel Arnold, commenced the siege of Quebec. Upon his arrival before the town, he wrote a letter to the British governor, recommending an immediate surrender, to prevent the dreadful consequences of a storm. Though the flag which conveyed this letter was fired upon, and all communication refused, general Montgomery found other means to convey a letter of the same tenour into the garrison; but the inflexible firmness of the governor could not be moved either by threats or dangers. The Americans soon after commenced a bombardment with five small mortars, but with very little effect. In a few days general Montgomery opened a six-gun battery, at

the distance of seven hundred yards from the walls, but his metal was too light to make any impression.

The news of general Montgomery's success in Canada had filled the colonies with expectations that the conquest of Quebec would soon add fresh lustre to his already brilliant fame. He knew well the consequences of popular disappointment, and was, besides, of opinion, that unless something decisive was immediately done, the advantages of his previous acquisitions would in a great degree be lost to the American cause. On both accounts he was strongly impelled to make every exertion for satisfying the expectations and promoting the interest of a people who had honoured him with so great a share of their confidence. The government of Great Britain, in the extensive province of Canada, was at that time reduced to the single town of Quebec. The astonished world saw peaceful colonists suddenly transformed into soldiers, and these marching through unexplored wildernesses, and extending themselves by conquests, in the first moment after they had assumed the profession of arms. Towards the end of the year, the tide of fortune began to turn. Dissensions broke out between colonel Arnold and some of his officers, threatening the annihilation of discipline. The continental currency had no circulation in Canada, and all the hard money furnished for the expedition was nearly expended. Difficulties of every kind were daily increasing. The extremities of fatigue were constantly to be encountered. The American general had not a sufficient number of men to make proper reliefs in the daily labours they underwent; and that inconsiderable number, worn down with toil, was constantly exposed to the severities of a Canada winter. The period for which a great part of his men had enlisted, being on the point of expiration, he apprehended that they who were entitled to it, would insist on their discharge. On the other hand, he saw no prospect of staggering the resolution of the garrison; they were well supplied with every thing necessary for their defence, and were daily acquiring additional firmness. The extremity of winter was fast approaching. From these combined circumstances, general Montgomery was

impressed

impressed with a conviction, that the siege should either be raised, or brought to a summary termination. To storm the place was the only feasible method of effecting the latter purpose; but this was an undertaking, in which success was but barely possible. Great minds are seldom exact calculators of danger; nor do they minutely attend to the difficulties which obstruct the attainment of their objects. Fortune, in contempt of the pride of man, has ever had an influence in the success or failure of military enterprises. Some of the greatest achievements of that kind have owed their success to a noble contempt of common forms.

The upper part of Quebec was surrounded with very strong works, and the access from the lower town was excessively difficult, from its almost perpendicular steepness. General Montgomery, from a native intrepidity, and an ardent thirst for glory, overlooked all these dangers, and resolved at once either to carry the place or perish in the attempt. Trusting much to his good fortune, confiding in the bravery of his troops, and their readiness to follow whithersoever he should lead, and depending somewhat on the extensiveness of the works, he determined to attempt the town by escalade.

The garrison of Quebec at this time consisted of about 1520 men, of which 800 were militia, and 450 were seamen belonging to the king's frigates, or merchants' ships in the harbour. The rest were marines, regulars, or colonel Maclean's new-raised emigrants. The American army consisted of about 800 men. Some had been left at Montreal, and near a third of Arnold's detachment, as has been related, had returned to Cambridge.

General Montgomery having divided this little force into four detachments, ordered two feints to be made against the upper town, one by colonel Livingston, at the head of the Canadians, against St. John's gate; and the other by major Brown, against Cape Diamond, reserving to himself and colonel Arnold the two principal attacks against the lower town. At five o'clock in the morning of the 31st of December general Montgomery advanced against the lower town. He passed the first barrier,

barrier, and was just opening to attack the second, when he was killed, together with his aid-de-camp, captain John M'Pherson, captain Cheesman, and some others. This so dispirited the men, that colonel Campbell, on whom the command devolved, thought proper to draw them off. In the mean time colonel Arnold, at the head of about 350 men, passed through St. Roques, and approached near a two-gun battery, without being discovered. This he attacked, and though it was well defended, carried it, but with considerable loss. In this attack colonel Arnold received a wound, which made it necessary to carry him off the field of battle. His party nevertheless continued the assault, and pushing on, made themselves masters of a second barrier. These brave men sustained the force of the whole garrison for three hours; but finding themselves hemmed in, and without hopes either of success, relief, or retreat, they yielded to numbers, and the advantageous situation of their adversaries. The loss of the Americans, in killed and wounded, was about 100, and 300 were taken prisoners. Among the slain were captain Kendricks, lieutenant Humphries, and lieutenant Cooper. The behaviour of the provincial troops was such as might have silenced those who had reproached them for being deficient in courage. The most experienced veterans could not have exceeded the firmness they displayed in their last attack. The issue of this assault relieved the garrison of Quebec from all apprehensions for its safety. The provincials were so much weakened, as to be scarcely equal to their own defence. However, colonel Arnold had the boldness to encamp within three miles of the town, and had the address, even with his reduced numbers, to impede the conveyance of refreshments and provisions into the garrison. His situation was extremely difficult. He was at an immense distance from those parts where effectual assistance could be expected. On his first entrance into the province, he had experienced much kind treatment from the inhabitants. The Canadians, besides being fickle in their resolutions, are apt to be biased by success. Their disposition to aid the Americans became therefore daily more precarious.

It was even difficult to keep the provincial troops from returning to their respective homes. Their sufferings were great. While their adversaries were comfortably housed in Quebec, they were exposed in the open air to the extreme rigour of the season. The severity of a Canada winter was far beyond any thing with which they were acquainted. The snow lay above four feet deep on a level.

This deliverance of Quebec may be considered as a proof how much may be done by one man for the preservation of a country. It also proves that soldiers may in a short time be formed out of the mass of citizens.

The conflict being over, the ill will which had subsisted, during the siege, between the royal and provincial troops gave way to sentiments of humanity. The Americans, who surrendered, were treated with kindness. Ample provisions were made for their wounded, and no unnecessary severity shown to any. Few men have ever fallen in battle so much regretted by both sides as general Montgomery. His many amiable qualities had procured him an uncommon share of private affection, and his great abilities an equal proportion of public esteem. Being a sincere lover of liberty, he had engaged in the American cause from principle, and quitted the enjoyment of an easy fortune, and the highest domestic felicity, to take an active share in the fatigues and dangers of a war, instituted for the defence of the community of which he was an adopted member. His well-known character was almost equally esteemed by the friends and foes of the side which he had espoused. In America he was celebrated as a martyr to the liberties of mankind; in Great Britain as a misguided good man, sacrificing to what he supposed to be the rights of his country.

Before we conclude this chapter, it may be proper to give a short statement of the aspect of public affairs in the beginning of 1775 in the southern colonies, and of the principal transactions that immediately succeeded in that quarter.

It has already been mentioned, that the colonists, from the rising of congress in October 1774, and particularly after

after the Lexington battle, were attentive to the training of their militia, and making the necessary preparations for their defence.

The effects of their arrangements for this purpose varied with circumstances.

Where there were no royal troops, and where ordinary prudence was observed, the public peace was undisturbed. In other cases, the intemperate zeal of governors, and the imprudent warmth of the people, anticipated the calamities of war before its proper time. Virginia, though there was not a single British soldier within its limits, was, by the indiscretion of its governor, lord Dunmore, involved, for several months, in difficulties but little short of those to which the inhabitants of Massachusetts were subjected. His lordship was but ill adapted to be at the helm in this tempestuous season. His passions predominated over his understanding, and precipitated him into measures injurious both to the people whom he governed, and to the interest of his royal master. The Virginians from the earliest stages of the controversy had been in the foremost line of opposition to the claims of Great Britain; but at the same time treated lord Dunmore with the attention that was due to his station. In common with the other provinces they had taken effectual measures to prepare their militia for the purposes of defence.

While they were pursuing this object, his lordship, on the 20th of April, engaged a party belonging to a royal vessel in James's river, to convey some public powder from a magazine in Williamsburg on board their ship. The value or quantity of the powder was inconsiderable, but the circumstances attending its removal begat suspicions that lord Dunmore meant to deprive the inhabitants of the means of defence. They were therefore alarmed, and assembled with arms to demand its restitution. By the interposition of the mayor and corporation of Williamsburg extremities were prevented. Reports were soon after spread that a second attempt to rob the magazine was intended. The inhabitants again took arms, and instituted nightly patrols, with a determined resolution to protect it. The governor was irritated at these commo-

tions.

tions, and in the warmth of his temper threatened to set up the royal standard, enfranchise the negroes, and arm them against their masters. This irritated, but did not intimidate. Several public meetings were held in the different counties, in all of which the removal of the powder from the magazine, and the governor's threats, were severely condemned. Some of the gentlemen of Hanover and the neighbouring counties assembled in arms, under the conduct of Mr. Patrick Henry, and marched towards Williamsburg, with an avowed design to obtain restitution of the powder, and to take measures for securing the public treasury. This ended in a negotiation, by which it was agreed, that payment for the powder, by the receiver general of the colony, should be accepted in lieu of restitution; and that upon the engagement of the inhabitants of Williamsburg to guard both the treasury and the magazine, the armed parties should return to their habitations.

The alarm of this affair induced lord Dunmore to send his lady and family on board the Fowey man of war in James river. About the same time his lordship, with the assistance of a detachment of marines, fortified his palace, and surrounded it with artillery. He soon after issued a proclamation, in which Mr. Henry and his associates were charged with rebellious practices, and the present commotions were attributed to a desire in the people of changing the established form of government. Several meetings were held in the neighbouring counties, in which the conduct of Mr. Henry and of his associates was applauded, and resolutions were adopted, that at every risque he and they should be indemnified. About this time copies of some letters from governor Dunmore to the minister of the American department were made public. These, in the opinion of the Virginians, contained unfair and unjust representations of facts, and also of their temper and disposition. Many severe things were said on both sides, and same, as usual, magnified or misrepresented whatever was said or done. One distrust begat another. Every thing tended to produce a spirit of discontent, and the fever of the public mind daily increased.

In this state of disorder the governor convened the general assembly. The leading motive for this unexpected measure was to procure their approbation and acceptance of the terms of the conciliatory motion agreed to in parliament on the 20th of the preceding February. His lordship introduced this to their consideration, in a long and plausible speech. In a few days they presented their address in answer, in which, among other grounds of rejection, they stated that "the proposed plan only changed the form of oppression, without lessening its burden;" but they referred the papers for a final determination to congress. For themselves they declared, "We have exhausted every mode of application which our invention could suggest, as proper and promising. We have decently remonstrated with parliament: They have added new injuries to the old. We have wearied our king with supplications: He has not deigned to answer us. We have appealed to the native honour and justice of the British nation: Their efforts in our favour have been hitherto ineffectual."

The assembly, among their first acts, appointed a committee to inquire into the causes of the late disturbances, and particularly to examine the state of the magazine. They found most of the remaining powder buried; the muskets deprived of their locks, and spring guns planted in the magazine. These discoveries irritated the people, and occasioned intemperate expressions of resentment. Lord Dunmore quitted the palace privately on the 8th of May, and retired on board the Fowey man of war, which then lay near York-Town. He left a message for the house of burgesses, acquainting them "that he thought it prudent to retire to a place of safety, having reason to believe that he was in constant danger of falling a sacrifice to popular fury; he nevertheless hoped they would proceed in the great business before them; and he engaged to render the communication between him and the house as easy and as safe as possible. He assured them that he would attend, as heretofore, to the duties of his office, and that he was well disposed to restore that harmony which had been unhappily interrupted."

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This message produced a joint address from the council and house of burgesses, in which they represented his lordship's fears to be groundless, and declared their willingness to concur in any measure he would propose for the security of himself and family; and concluded by entreating his return to the palace. Lord Dunmore, in a reply, justified his apprehensions of danger from the threats which had been repeatedly thrown out. He charged the house of burgesses with countenancing the violent proceedings of the people, and with a design to usurp the executive power, and subvert the constitution. This produced a reply fraught with recrimination and defensive arguments. Every incident afforded fresh room for altercation. There was a continued intercourse by addresses, messages, and answers, between the house of burgesses and the Fowey, but little of the public business was completed. His lordship was still acknowledged as the lawful governor of the province, but did not think proper to set his foot on shore, in the country over which his functions were to be exercised.

At length, when the necessary bills were ready for ratification, the council and burgesses jointly entreated the governor's presence to give his assent to them and finish the session. After several messages and answers, lord Dunmore peremptorily refused to meet the assembly at the capital, their usual place of deliberation; but said he would be ready to receive them on the next Monday, at his present residence on board the Fowey, for the purpose of giving his assent to such bills as he should approve of. Upon receiving this answer, the house of burgesses passed resolutions in which they declared, that the message requiring them to attend the governor on board a ship of war, was a high breach of their rights and privileges---that they had reason to fear a dangerous attack was meditated against the colony, and it was therefore their opinion, that they should prepare for the preservation of their rights and liberties. After strongly professing loyalty to the king, and amity to the mother-country, they broke up their session. The royal government in Virginia from that day ceased. Soon after (on the 18th of July) a
conven-

convention of delegates was appointed to supply the place of the assembly. As these had an unlimited confidence reposed in them, they became at once possessed of undefined discretionary powers, both legislative and executive. They exercised this authority for the security of their constituents. They raised and embodied an armed force, and took other measures for putting the colony in a state of defence. They published a justification of their conduct, and set forth the necessity of the measures they had adopted. They concluded with professions of loyalty, and declared that though they were determined at every hazard to maintain their rights and privileges, it was also their fixed resolution to disband such forces as were raised for the defence of the colony, whenever their dangers were removed. The headstrong passions of lord Dunmore precipitated him into farther follies. With the aid of the loyalists, run-away negroes, and some frigates that were on the station, he established a marine force. By degrees, he equipped and armed a number of vessels of different kinds and sizes, in one of which he constantly resided, except when he went on shore in a hostile manner. This force was calculated only for depredation, and never became equal to any essential service. Obnoxious persons were seized and taken on board; negroes were carried off, plantations ravaged, and houses burnt. These proceedings occasioned the sending of some detachments of the new-raised provincial forces to protect the coasts. This produced a predatory war, from which neither honour nor benefit could be acquired, and in which every necessary from on shore was purchased at the risque of blood. On the 25th of October the forces under his lordship attempted to burn Hampton; but the crews of the royal vessels employed in that business, though they had begun to cannonade it, were so annoyed by riflemen from on shore, that they were obliged to quit their station. In a few days after this repulse (on the 7th of November), a proclamation was issued by the governor, dated on board the ship *William*, off Norfolk, declaring, that as the civil law was at present insufficient to punish treason and traitors, martial law should take place and be executed through-

throughout the colony; and requiring all persons capable of bearing arms to repair to his majesty's standard, or to be considered as traitors. He also declared all indentured servants, negroes, and others, appertaining to rebels, who were able and willing to bear arms, and who joined his majesty's forces, to be free.

Among the circumstances which induced the rulers of Great Britain to count on an easy conquest of America, the great number of slaves had a considerable weight. On the sea-coast of five of the most southern provinces, the number of slaves exceeded that of freemen. It was supposed; that the proffer of freedom would detach them from their masters' interest, and bind them by strong ties to support the royal standard. Perhaps, under favourable circumstances, these expectations would in some degree have been realised; but lord Dunmore's indiscretion deprived his royal master of this resource. Six months had elapsed since his lordship first threatened its adoption. The negroes had in a great measure ceased to believe, and the inhabitants to fear. It excited less surprise, and produced less effect, than if it had been more immediate and unexpected. The country was now in a tolerable state of defence, and the force for protecting the negroes, in case they had closed with his lordship's offer, was far short of what would have been necessary for their security. The injury done the royal cause by the bare proposal of the scheme, far outweighed any advantage that resulted from it. The colonists were struck with horror, and filled with detestation of a government which was exercised in loosening the bands of society, and destroying domestic security. The union and vigour which was given to their opposition was great, while the additional force acquired by his lordship was inconsiderable. It nevertheless produced some effect in Norfolk and the adjoining country, where his lordship was joined by several hundreds, both whites and blacks. The governor having once more got footing on the main, amused himself with hopes of acquiring the glory of reducing one part of the province by means of the other. The provincials had now an object against which they might direct

direct their arms. An expedition was therefore concerted against the force which had taken post at Norfolk. To protect his adherents lord Dunmore constructed a fort at the great bridge, on the Norfolk side, and furnished it with artillery. The provincials also fortified themselves near to the same place, with a narrow causeway in their front. In this state both parties continued quiet for some days. On the 9th of December the royalists commenced an attack. Captain Fordyce, at the head of about 60 British grenadiers, passed the causeway, and boldly marched up to the provincial entrenchments with fixed bayonets. They were exposed without cover to the fire of the provincials in front, and enfiladed by another part of their works. The captain and several of his men fell; the lieutenant, with others, were taken, and all who survived were wounded. The slaves in this engagement were more prejudicial to their British employers than to the provincials. Captain Fordyce was interred by the victors with military honours. The English prisoners were treated with kindness; but the Americans who had joined the king's standard, experienced the resentment of their countrymen.

The royal forces, on the ensuing night, evacuated their post at the great bridge, and lord Dunmore shortly after abandoned Norfolk, and retired with his people on board his ships. Many of the tories, a name which was given to those who adhered to the royal interest, sought the same asylum for themselves and moveable effects. The provincials took possession of Norfolk, and the fleet, with its new incumbrances, moved to a greater distance. The people on board, cut off from all peaceable intercourse with the shore, were distressed for provisions and necessities of every kind. This occasioned several unimportant contests between the provincial forces and the armed ships and boats. At length, on the arrival of the Liverpool man of war from England, a flag was sent on shore to put the question, whether they would supply his majesty's ships with provisions? An answer was returned in the negative. It was then determined to destroy the town. This was carried into effect, and Norfolk was

reduced to ashes. The whole loss was estimated at 300,000 sterling. The provincials, to deprive the ships of every resource of supply, on the 1st of January 1776, destroyed the houses and plantations that were near the water, and obliged the people to move their cattle, provisions, and effects, farther into the country. Lord Dunmore, with his fleet, continued for several months on the coast and in the rivers of Virginia. His unhappy followers suffered a complication of distresses. The scarcity of water and provisions, the closeness and filth of the small vessels, produced diseases which were fatal to many, especially to the negroes. Though his whole force was trifling when compared with the resources of Virginia, yet the want of suitable armed vessels made its expulsion impracticable. The experience of that day evinced the inadequacy of land forces for the defence of a maritime country; and the extensive mischief which may be done by even an inconsiderable marine, when unopposed in its own way. The want of a navy was both seen and felt. Some arrangements to procure one were therefore made. Either the expectation of an attack from this quarter, or the sufferings of the crews on board, induced his lordship, in the summer 1776, to burn the least valuable of his vessels, and to send the remainder, amounting to 30 or 40 sail, to Florida, Bermuda, and the West Indies. The hopes which lord Dunmore had entertained of subduing Virginia by the co-operation of the negroes terminated with this movement. The unhappy Africans who had engaged in it are said to have almost universally perished.

While these transactions were carrying on, another scheme, in which lord Dunmore was a party, also miscarried. It was in contemplation to raise a considerable force at the back of the colonies, particularly in Virginia and the Carolinas. One Connelly, a native of Pennsylvania, was the framer of the design. He had gained the approbation of lord Dunmore, and had been sent by him to general Gage at Boston, and from him he received a commission to act as colonel commandant. It was intended that the British garrisons at Detroit, and some other

other remote posts, with their artillery and ammunition should be subservient to this design. Connelly also hoped for the aid of the Canadians and Indians. He was authorised to grant commissions, and to have the supreme direction of the new forces. As soon as they were in readiness he was to penetrate through Virginia, and to meet lord Dunmore near Alexandria, on the river Potowmac. Connelly was taken up on suspicion, by one of the committees in Maryland, while on his way to the scene of action. The papers found in his possession betrayed the whole. Among these was a general sketch of the plan, and a letter from lord Dunmore to one of the Indian chiefs. He was imprisoned, and the papers published. So many fortunate escapes induced a belief among serious Americans, that their cause was favoured by Heaven. The various projects, which were devised and put in operation against them, pointed out the increasing necessity of union, while the havoc made on their coasts, the offer of freedom to their slaves, and the encouragement proposed to Indians for making war on their frontier inhabitants, quickened their resentment against Great Britain.

North-Carolina was more fortunate than Virginia. The governors of both were perhaps equally zealous for the royal interest, and the people of both equally attached to the cause of America; but the former escaped with a smaller portion of public calamity. Several regulations were at this time adopted by most of the provinces. Councils of safety, committees, and conventions, were common substitutes for regular government. Similar plans for raising, arming, and supporting troops, and for training the militia, were from north to south generally adopted. In like manner royal governors throughout the provinces were exerting themselves in attaching the people to the schemes of Great Britain. Governor Martin, of North-Carolina, was particularly zealous in this business: He fortified and armed his palace at Newbern, that it might answer the double purpose of a garrison and magazine. While he was thus employed, such commotions were excited among the people, that he thought it expedient to retire on board a sloop of war in Cape Fear river.

river. The people, on examining, found powder and various military stores which had been buried in his garden and yard. Governor Martin, though he had abandoned his usual place of residence, continued his exertions for reducing North-Carolina to obedience. He particularly addressed himself to the regulators and highland emigrants. The former had acquired this name from their attempting to regulate the administration of justice in the remote settlements, in a summary manner subversive of the public peace. They had suffered the consequences of opposing royal government, and from obvious principles of human nature, were disposed to support the authority whose power to punish they had recently experienced. The highland emigrants had been but a short time in America, and were yet more under the influence of European ideas than those which their new situation was calculated to inspire. Governor Martin sent commissions among these people for raising and commanding regiments; and he granted one to Mr. M'Donald to act as their general. He also sent them a proclamation, commanding all persons, on their allegiance, to repair to the royal standard. This was erected by general M'Donald, about the middle of February. Upon the first intelligence of their assembling, brigadier-general Moore, with some provincial troops and militia, and some pieces of cannon, marched to oppose them. He took possession of Rock Fish bridge, and threw up some works. He had not been there many days when M'Donald approached, and sent a letter to Moore, inclosing the governor's proclamation, and advising him and his party to join the king's standard; and adding, that in case of refusal they must be treated as enemies. To this Moore replied, that he and his officers considered themselves as engaged in a cause the most glorious and honourable in the world, the defence of mankind; and in his turn offered, that if M'Donald's party laid down their arms they should be received as friends, but otherwise they must expect consequences similar to those which they threatened. Soon after this, general M'Donald, with his adherents, pushed on to join governor Martin; but
colonels

colonels Lillington and Caswell, with about 1000 militia-men, took possession of Moore's Creek bridge, which lay in their way, and raised a small breastwork to secure themselves.

On the next morning *, the highland emigrants attacked the militia posted at the bridge, but M'Cleod, the second in command, and some more of their officers, being killed at the first onset, they fled with precipitation. General M'Donald was taken prisoner, and the whole of his party broken and dispersed. This overthrow produced consequences very injurious to the British interest. A royal fleet and army was expected on the coast. A junction formed between them and the highland emigrants in the interior country, might have made a sensible impression on the province. From an eagerness to do something, the insurgents prematurely took arms, and being crushed before the arrival of proper support, their spirits were so entirely broken, that no future effort could be expected from them.

While the war raged only in Massachusetts, each province conducted itself as under the expectation of being next attacked. Georgia, though a majority of its inhabitants were at first against the measures, yet about the middle of this year joined the other colonies. Having not concurred in the petitions from congress to the king, they petitioned by themselves, and stated their rights and grievances, in firm and decided language. They also adopted the continental association, and sent on their deputies to congress.

In South-Carolina there was an eagerness to be prepared for defence, which was not surpassed in any of the provinces. Regiments were raised, forts were built, the militia trained, and every necessary preparation made for that purpose. Lord William Campbell, the royal governor, endeavoured to form a party for the support of government, and was in some degree successful. Distrusting his personal safety on shore, about the middle of

* February 27, 1776.

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September

September he took up his residence on board an armed vessel in the harbour.

The royal government still existed in name and form; but the real power which the people obeyed, was exercised by a provincial congress, a council of safety, and subordinate committees. To conciliate the friendship of the Indians, the popular leaders sent a small supply of powder into the country. They who were opposed to congress, embodied, and robbed the waggons which were employed in its transportation. To inflame the minds of their adherents, they propagated a report that the powder was intended to be given to the Indians for the purpose of massacring the friends of royal government. The inhabitants took arms, some to support royal government, but others to support the American measures. The royalists acted feebly, and were easily overpowered. They were disheartened by the superior numbers that opposed them; they every-where gave way, and were obliged either to fly or feign submission. Solicitations had been made about this time for royal forces to awe the southern provinces, but without effect, till the proper season was over. One scheme for this purpose was frustrated by a singular device: Private intelligence had been received of an express being sent from sir James Wright, governor of Georgia, to general Gage. By him, the necessity of ordering a part of the royal army to the southward was fully stated. The express was way-laid, and compelled by two gentlemen to deliver his letters. One to general Gage was kept back, and another forwarded in its room. The seal and hand-writing were so exactly imitated, that the deception was not suspected. The forged letter was received and acted upon; it stated such a degree of peace and tranquillity as induced an opinion that there was no necessity of sending royal troops to the southward. While these states were thus left to themselves, they had time and opportunity to prepare for extremities, and in the mean time the friends of royal government were severally crushed. A series of disasters followed the royal cause in the year 1775. General Gage's army was cooped
up

up in Boston, and rendered useless. In the southern states, where a small force would have made an impression, the royal governors were unsupported. Much was done to irritate the colonists and to cement their union, but very little, either in the way of conquest or concession, to subdue their spirits or conciliate their affections.

In this year the people of America generally took their side. Every art was made use of by the popular leaders to attach the inhabitants to their cause; nor were the votaries of the royal interest inactive. But little impression was made by the latter, except among the uninformed. The great mass of the wealth, learning, and influence, in all the southern colonies, and in most of the northern, was in favour of the American cause. Some aged persons were exceptions to the contrary. Attached to ancient habits, and enjoying the fruits of their industry, they were slow in approving new measures subversive of the former, and endangering the latter. A few who had basked in the sunshine of court favour, were restrained by honour, principle, and interest, from forsaking the fountain of their enjoyments. Some feared the power of Britain, and others doubted the perseverance of America; but a great majority resolved to hazard every thing in preference to a tame submission.

CHAP. XI.

Fatal effects of the war—Riots at Liverpool—Pretended conspiracy—Meeting of parliament—Defection of the duke of Grafton and general Conway from the ministry—Introduction of foreign troops—Army estimates—Penn's examination—Prohibitory bill—Mr. Fox's and Mr. Oliver's motions—Changes in the ministry—Affairs of Ireland—Debates on foreign troops—Supplies—Duke of Grafton's conciliatory motion—Conclusion of the session—Boston evacuated by the British—Siege of Quebec raised—Americans defeated on the Lakes—Unsuccessful attempt upon Charlestown—Preparations against New-York—Declaration of independence—Americans defeated at Long-Island—New-York taken—Americans retreat into the Jerseys and over the Delaware—Rhode-Island reduced—General Lee made prisoner—Hessians cut off at Trenton—British defeated at Princeton.

[A. D. 1775, 1776.]

THE war in America had no sooner seriously commenced, than its fatal effects were experienced in the trading world. War, whatever its object, must ever be injurious to a mercantile nation; and the best commercial politician that ever wrote, the sagacious dean Tucker, has exposed the absurdity of a war system in such a country, by observing, "that the private trader, who, instead of minding his business, should knock his customers on the head, must speedily be reduced to bankruptcy." Thus, at the period of which we are treating, the manufactures and trade of Great Britain appeared completely at a stand in all the great provincial towns and cities. Bristol and Liverpool, in particular, suffered considerably; and in the latter place, the African trade being almost annihilated by the war, and numbers of seamen having been thrown out of employ, some dangerous riots took place in the month of August, and were only quelled

quelled by the arrival of a military force from Manchester.

Notwithstanding the confident boasts of ministry, that the forces which had been voted in the last session were fully adequate to the subjugation of America, it was found that they were not sufficient to maintain their ground in the city of Boston. England of itself, since it has become a commercial nation, is not able to support a land war. The naval force may be easily diverted from the merchants' service to that of the public; but the manufacturer cannot be enticed from his profitable employment but by very high bounties; and in proportion as these men are detached from their business, the general trade of the nation must be injured.

Negotiations for foreign troops, therefore, became absolutely necessary. Russia was applied to in vain, nor could the Dutch be prevailed on to part with their Scotch brigade for this nefarious service.

With the slave-merchants of Germany the ministers were more successful, and a number of troops were purchased, like cattle, of the princes of Hesse and Brunswick, at so much a head.

It is always one of the principal artifices of a weak and bad ministry, to amuse the populace with fabricated plots and conspiracies to overturn the government. Previous to the meeting of parliament, something of this kind was deemed necessary, and a Mr. Sayre, a banker, an American by birth, was committed to the Tower, on a ridiculous charge of a plot to seize the king in his passage to the house of peers, and to convey him out of the kingdom. On an application, however, by habeas corpus, to the court of king's bench, the charge appeared so frivolous and ill-founded, that Mr. Sayre was discharged; and he afterwards recovered in a court of law, 1000*l.* damages against lord Rochford, secretary of state, on an action for false imprisonment.

The parliamentary session commenced rather earlier than usual, *viz.* on October 26th. His majesty, in a speech of unusual length, gave the present situation of America as a reason for having called the houses together early. "It was observed, that those who had too long

long successfully laboured to influence the people in America by gross misrepresentations, and to infuse into their minds a system of opinions repugnant to the true constitution of the colonies, and to their subordinate relation to Great Britain, now openly avowed their revolt, hostility, and rebellion. They had raised troops, were collecting a naval force, had seized the public revenue, and assumed to themselves legislative, executive, and judicial powers, which they already exercised in the most arbitrary manner, over the persons and properties of their fellow-subjects; and although many of these unhappy people might still retain their loyalty, too wise not to see the fatal consequences of this usurpation, and might wish to resist it, yet the torrent of violence had been strong enough to compel their acquiescence, till a sufficient force should appear to support them. The authors and promoters of this desperate conspiracy had, in the conduct of it, derived great advantage from the difference of our intentions and theirs. They meant only to amuse, by vague expressions of attachment to the parent-state, and the strongest professions of loyalty to his majesty, while they prepared for a general revolt. On our part, though it was declared in the last session, that a rebellion existed in Massachusetts Bay, yet the parliament wished rather to reclaim than subdue even that province. The resolutions of parliament breathed a spirit of moderation and forbearance; conciliatory propositions accompanied the measures taken to enforce authority; and the coercive acts were adapted to cases of criminal combinations amongst subjects not then in arms. His majesty had acted with the same temper, anxious to prevent, if possible, the effusion of blood, and the calamities inseparable from a state of war; still hoping that the people of America would have discerned the traitorous views of their leaders, and have been convinced, that to be a subject of Great Britain, with all its consequences, is to be the freest member of any civil society in the known world. — The rebellious war was now become more general, and was manifestly carried on for the purpose of establishing an independent empire. The object was too important,

portant, the spirit of the British nation too high, the resources with which God had blessed her too numerous, to give up so many colonies which she had planted with great industry, nursed with great tenderness, encouraged with many commercial advantages, and protected and defended at much expense of blood and treasure. It was now become the part of wisdom, and, in its effects, of clemency, to put a speedy end to these disorders by the most decisive exertions. For this purpose his majesty had increased his naval establishment, and greatly augmented his land forces; but in such a manner as might be least burdensome to the kingdom. His majesty informed them, that the most friendly offers of foreign service had been made, and, if necessary, should be laid before them. He assured them, that when the unhappy and deluded multitude, against whom force was to be directed, should become sensible of their error, he would receive them mislead with tenderness and mercy. An apology was made to the commons for the increased demand of supplies, and it was affirmed that the constant employment of his majesty's thoughts, and the most earnest wishes of his heart, tended wholly to the safety and happiness of his people; and that his majesty saw no probability that the measures which parliament might adopt would be interrupted by disputes with any foreign power."

The addressees, in answer to this speech, contained the same sentiments, and the efforts of opposition were powerfully directed to avoid the imputation of those addressees being the unanimous voice of the house. The debates commenced with an amendment, proposed by lord John Cavendish, in the house of commons, and a similar one by the marquis of Rockingham, in the house of lords. The purport of both was this; "That they beheld, with the utmost concern, the disorders and discontents in the colonies, rather increased than diminished by the means that had been used to suppress and allay them; a circumstance alone sufficient to give them just reason to fear, that these means were not originally well considered or properly adapted to their ends. That they were satisfied, by experience, that the misfortune had, in a great measure, arisen

arisen from the want of full and perfect information of the real state and condition of the colonies being laid before parliament; by reason of which, measures injurious and inefficacious had been carried into execution, whence no salutary end could be expected; tending to tarnish the lustre of the British arms, to bring discredit on the wisdom of his majesty's councils, and to nourish, without hope of end, a most unhappy civil war. That, deeply impressed with the melancholy state of public concerns, they would, with the fullest information they could obtain, and with the most mature deliberation they could employ, review the whole of the late proceedings, that they might be enabled to discover, as they would be most willing to apply, the most effectual means of restoring order to the distracted affairs of the British empire, confidence to his majesty's government, obedience, by a prudent and temperate use of its powers, to the authority of parliament, and satisfaction and happiness to all his people. That, by these means, they trusted to avoid any occasion of having recourse to the alarming and dangerous expedient, of calling in foreign forces to the support of his majesty's authority within his own dominions, and the still more dreadful calamity, of shedding British blood by British arms."—The debates on this motion comprehended all the former, and a variety of new arguments, arising from late occurrences, for and against the system of American coercion. The friends of ministry argued, that since the congress had wrested from their rightful possessors all the powers of government; had raised armies, were preparing a fleet, making a pecuniary establishment, and were carrying on a war in every respect, we could not admit a doubt of their intentions to be entirely independent of Great Britain. Their words and actions corresponded not; or if they did, they had held forth a specious and equivocating strain of correspondence, which amounted to this, that they sought not independence, yet were determined to no other than a nominal submission to the throne of Britain. The lenity of parliament, so often extended to them, had been repaid with insult, and improved to its disparagement. As a proof of this lenity,

it was said, "the Americans have been allowed to tax themselves, and they have refused the contribution of any sum whatsoever. But we contend not for revenue, nor authority. To the sovereignty itself of Britain we must *command* obedience. We cannot reverse our operations; they must still be pursued, and success might have attended them, but for the opposition which they met with from those who ought not so far to forget the interests of this country, as to influence the public against even the legislature itself." Our difficulties were allowed to be many; but all Europe, it was urged, was watchful for the event, and a retrospect would involve us in disgrace. We had nothing to fear from foreign powers, and a recollection of our successes, when embroiled in the dangers and distresses of many a complicated war, ought to arm us against despairing of a speedy issue to a dispute of yesterday, with a foe of yesterday, and whose greatness had arisen from ourselves. As to that part of the speech which related to the employing of foreign troops, the ministry said, "We mean not at present, by our address, to give an absolute assent to the measure, but when the navy and army estimates shall be laid before the house, the legality of it may be more fully inquired into. In the mean time we rest its defence on precedents, and the strictest principles both of law and constitution. Many able lawyers have defended it; but as some members seem alarmed, we are willing that the matter may afterwards be taken into consideration, and debated on parliamentary grounds. Mismanagement in some quarter, we pretend not to deny, but it is as yet doubtful, whether the authoritative or executive power deserves the greater share of blame. An inquiry will clear up the whole, and it is not yet too late to compensate for want of vigour hitherto, or to hope for the good effects of the present measures. If we labour under some difficulties, much harder is the fate of the Americans, doomed as they are to the expense and miseries of obstinacy and war, without those extensive resources which Britain has within itself. Ministers have been misled; and in consequence of that, some disappointments have occurred which were not within

the verge of human foresight. The defection of New-York, brought about by the people of Connecticut, and especially the unanimity of the colonies, are circumstances which no acquaintance with mankind could have predicted. The only method to gain accurate information regarding the colonies, is by examining those who have long resided on the spot; and even this is liable to fallacy. Besides, it is impossible to omit the mention of that restless faction at home, who have done every thing in their power, both within and without doors, to impede this momentous progress, and prevent that success with which, in the common course of events, our endeavours at last must be crowned."

In answer to these arguments, opposition drew an affecting picture of this country from the unwise conduct of its leading men. His majesty was represented as cruelly deprived of his American possessions, and the prevailing luxury of a dissipated age was followed by a more than ordinary speed towards ruin from civil discord. The facts contained in the speech, it was urged, wanted foundation. Both by word and writing the Americans disclaimed every aim at independence: They wished indeed to establish a difference betwixt slavery and independence. They spoke their minds without the least reserve; and it was evident, from the preparations, that ministry considered them as serious, and not as willing to protract and gain time. Ministry could not pretend, that they were without warning of the dangers into which their measures would precipitate the country. The wretched event of all their resolutions was again and again demonstrated, on the principles of reason and justice; and in return for this warning, gentlemen in opposition were branded by the name of a factious party. The freedom of debate admitted not of such insulting language. And disdaining the information and advice of opposition, what sources had the friends of administration substituted? The partial representations of men vexed by disappointments to their selfish purposes. Members of parliament ought to be cautious how they gave implicitly into the measures of an infatuated administration; let them

them weigh the dangers which history evinces always await the introduction of foreign troops, the confidence that is to be placed in men whose actions have been a series of blunders, the enormous expence in supporting an army of 70,000 men in America, and the increase of national demands on private property. Let them compare these with the probable advantages, it was said, and see if in the most flattering prospects that could be held out there would be any thing to balance burnt towns, destroyed trade, a depopulated country, a bloody dagger haunting the imagination, a despised Britain, bankrupt in glory, fortune, and in friends, a constitution tottering under its wilful weaknesses, and an untimely grave gaping to bury all its honours in endless oblivion. If war be the consequence of our supposed subjugation of America, what must follow if we should fail? Language would be but the faint outlines of that horrid picture which reason, justice, the ways of Providence, and the fate of empires present to our mind's eye. Administration must have either been imposed on in every particular relative to the colonies, or they had designedly deceived parliament. A weakness had been displayed totally inconsistent with the character of an English minister, and an obstinacy which could not be forgiven. The Americans still denied the right of taxation; they had ever done so; and no change, unless for the worse, had been produced by the conciliatory proposition of the last session. The Americans could never be said to have refused their assistance when called upon according to the principles of their constitution; and their having now taken up arms in defence of that constitution came not within the description of rebellious intention. It was not, as ministerialists alleged, even now too late; but the mode of exercising lenity which parliament so much boasted of, must be changed. Were any of the acts respecting Massachusetts Bay, Quebec, or the colonies in general, to be accounted lenient? Was the proposal that a gentleman, who seconded the address, had made for arming the negroes against their masters, lenient? "And by what other means," it was asked, "is this lenient war to be carried

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ried on? By the assistance of foreign troops, a measure repugnant to law and constitution, a dangerous precedent, and immediately productive of jealousies and dissensions." In conclusion, ministers were exhorted to remember, that, however they might boast of their strength to carry on this war, they might perhaps find difficulties which they did not think proper to foresee, and which might be insurmountable; since, while they persisted in their unavailing efforts, other rival powers might view their dismembered empire with satisfaction. Ten thousand of the flower of our army, with four generals of reputation, and backed with a great naval force, had been miserably blockaded in one sea-port town; and, from many circumstances, it admitted of great doubt whether at the moment we possessed a single town in all North America.

These arguments were powerfully aided by the defection of general Conway and the duke of Grafton; who, in their respective houses, pleaded the cause of the injured colonists with great ability, feeling, and correctness. They gave it as their opinion, that if ever a reconciliation could be effected, this was the time to make the attempt, by a repeal of every obnoxious act passed against the Americans since the year 1763. The addresses, however, passed in the original forms in both houses, by prodigious majorities. The debates were unusually long, and the questions attended to with unremitting zeal. The duke of Richmond distinguished himself in the house of lords, and was one of nineteen peers who signed a protest against the proceedings of that house. What relates to the employment of Hanoverian troops, conveys the following sentiments: "That Hanoverian troops should, at the mere pleasure of the ministers, be considered as a part of the British military establishment, and take a rotation of garrison duties, through their dominions, is, in practice and precedent, of the highest danger to the safety and liberties of this kingdom, and tends wholly to invalidate the wise and salutary declaration of the grand fundamental law of our glorious deliverer, king William, which has bound together the rights of the subject, and the succession of the throne." Upon this opinion, a few days after the address

address had been delivered, the duke of Manchester founded a resolution, "That bringing into any part of the dominions of Great Britain, the electoral troops of his majesty, or any other foreign troops, without the previous consent of parliament, is dangerous and unconstitutional." The Hanoverians, his grace observed, would not be under the command of any military law in those garrisons, and the mutiny-act could not extend to them, being confined to those troops only which are specified in it, or voted by parliament. There was no security in putting fortified places of such importance into the hands of foreign troops, and the king had no right to maintain, in any part of his British dominions, any troops to which parliament had not given their consent. On the other hand, the lords in administration said, that the clause in the bill of rights, which is in question, is to be understood with the conditions annexed to it, one of which relates to the bringing of troops *within* the kingdom, and another mentions the *time of peace*, and in the present case neither of those conditions were violated. Nay, the bill of rights, it was said, confirms to the king a power to raise an army, in time of war, in any part of his dominions, both of natives and foreigners—a power which had been exerted on several occasions, without the consent of parliament, and was justified now by necessity. The opposition answered, that the words "within the kingdom," if confined to England alone, would exclude Ireland, Scotland, and other places into which armies of foreigners might be introduced. "However the circumstantial quibbling of law might pretend to determine, the measure was certainly contrary to the spirit and intention of the bill of rights, which particularly provides against keeping a standing army without the consent of parliament." They maintained that no foreign troops had been brought into the kingdom at any time since the revolution, without the previous consent of parliament, either by an address, or by some former treaty which it had ratified; and the hiring of foreign troops, and afterwards prevailing on parliament to ratify the engagements, had always been censured as an unwarrantable step. In

the late war, ministers were exceedingly cautious in this respect, and even after the parliament had agreed to the raising of 4000 Germans for American service, such effectual provision was made for the security of this kingdom, that it was impossible any mischief could ensue. With all the deference king William's parliament entertained for that prince, they never would consent to the admission of his Dutch guards into England. Notwithstanding these and other forcible arguments, the previous question was put, and the numbers were, 75 who voted against, and 32 who supported the motion.

It was necessary, however, that lord North should give the promised satisfaction to the gentlemen of the house of commons on this subject. He had agreed to the clause in the address, upon condition and in expectation that a bill of indemnity would afterwards be passed, to protect from punishment such ministers as might, through necessity, expediency, or human infirmity, give their consent to an illegal act. His lordship, although convinced for himself of the propriety of the measure in question, assured the house, that a bill should be brought in for the purpose specified; but the opposition not approving of what they imagined would be the tenour of his bill, determined that a motion should come from one of their own body, more definite than any he would be willing to advance. Accordingly, sir James Lowther moved, "That the introducing of Hanoverian troops into any part of the dominions belonging to the crown of Great Britain, without the consent of parliament first had and obtained, is contrary to law." Besides the assertion of the lords in opposition, it was now contended, that this introduction of foreign troops was contrary to a clause in the act of settlement, which enacts, "That no person born out of the kingdoms of England, Scotland, or Ireland, or the dominions thereto belonging (except such as are born of English parents), shall be capable to enjoy any office or place of trust, civil or military." The administration maintained, that the crown possessed an indisputable prerogative (coeval with its rights to make peace or war) to protect the public by arms, and which parliament could
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only control by refusing the necessary supplies. But allowing that a show of objection might be held forth against the general right of the crown in this respect, the particular right of placing garrisons in his majesty's fortresses had never been an object of dispute; the garrison kept in Calais, that at Tangier, during the reign of Charles II. the garrisons formerly kept in Newcastle, Berwick, Portsmouth, &c. were instances; these troops, as soon as they left the garrison town, were declared illegal, and of course all danger was guarded against. On the contrary side of the question, opposition denied the legal force of any usage abhorrent to the principles of the constitution. The ancient armies of the crown being composed of those who served by virtue of their tenure for a limited time, the king was entitled to employ them in common with the inferior lords; but when this tenure was abolished, it was parliament only which could grant to his majesty any military force whatever. As to Calais, it was the last remnant of those possessions which our kings held of their own right in France, and the parliament had no more concern with it than they have now with Hanover. Charles II. had kept indeed garrisons in Tangier and Dunkirk, but the revolution had provided against any such unconstitutional liberties for the future. This motion was lost by 203 to 81; and on the same day lord North brought in his bill of indemnity.

A further infraction on the constitution presented itself at this time to the opposition. A new militia-bill which was introduced, was said to be subversive of every idea of a constitutional militia, as they were not to be called out except in cases of invasion or rebellion, pretences of which might at any time be made; a minister had it in his power to embody them, and in that case they composed a standing army. The ministry endeavoured to assure the house that their fears on this topic were groundless, and that it was not to be supposed that any minister would dare to abuse the power granted to him, and that if he did, he was accountable for it at the risk of his life. This apology, however, did not satisfy the opposition; part of the Devonshire militia had offered their personal service

service against all *internal* enemies; this was a specimen of what we had to expect from the establishment of this new militia, who were to obey any orders that might be given, no matter by whom; and where would they, who might differ from administration in matters of political opinion, find security against the undue exertion of this power, or the misconstruction of the sentiments of opposition? On the contrary it was replied, that the Devonshire militia, by this address, only wished to give a proof of their attachment to the crown, and that it was proper for other societies to do the same, as a counterpart to the addresses of London and Middlesex, and to undeceive the people in the country, who dreaded that nothing less than a revolution was meditated by the present adverse proceedings of some bodies of men. The question being put, the bill was carried by 259 to 50.

On the debates relative to the army-estimates, the affairs of America became a necessary object of inquiry, and a motion was made, "That there be laid before the house an account of the last returns of the number of effective men, in the several regiments and corps in his majesty's service, serving in North America, together with a state of the sick and wounded; distinguishing the several places where the said troops are stationed." The compliance with this motion appeared to ministry as very dangerous, since the information requested would amount to a disclosure of many important facts, which it was much our interest to conceal from the enemy in a time of war. But the opposition asserted, that it was the parliament, and not the enemy, whom ministry wished to keep ignorant; and whatever excuses they might make in defence of such an intention, it was impossible for the house to vote for new forces, without knowing what had been effected by the old, and what situation they were in. A majority of nearly three to one having rejected this motion, another was brought forward, "That 28,000 seamen, including 6,665 marines, should be voted for the service of the ensuing year." In the course of the debates on this motion, it was alleged that seventy-eight sail, the force intended for the North American station, was

too great to be confined to that part of the world, as it left home and other valuable possessions in a defenceless state. Administration, however, thought that the affairs of Europe were in a train so friendly as to afford no necessity for the same exertions at home. As other powers were making no unusual preparations, it might be dangerous to show a jealousy first on our part.—A few days after, a motion from one of the opposition, "That power should be given to the commissioners appointed to act in America, to receive proposals from the Americans, suspending all inquiry into the legality of the convention, congress, or meetings which tendered the propositions;" was rejected without a division. Precedents, indeed, were brought, to prove that the crown had, on former occasions, treated with the people, when assembled in a manner which had not received its sanction; but administration argued, that if we entered now into any treaty with the American congress, it would be a decision at once of the question in dispute, and a declaration, that all our proceedings were unjust. The next day the army estimates were laid before the house, and after much opposition, 55,000 men were voted, 25,000 of which were destined for America.

On the 7th of November, a conversation took place on the second petition from congress, by the accidental circumstance of seeing Mr. Penn, who brought it, standing below the bar of the house. The affair ended in the examination of that gentleman; but, as his answers were universally unfavourable to the views of administration, it was thought necessary to reject the evidence altogether. His examination, indeed, had by no means been agreeable to those in office, though they had at last reluctantly agreed to it. Now, however, finding it impossible to reconcile their own schemes with the facts set forth by Mr. Penn, they charged him with partiality and prejudice. As to the petition itself, it was utterly rejected by a majority of 86 to 33.

These debates were followed by the augmentation of the land-tax to four shillings in the pound. This passed with little opposition, excepting some complaints about
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the want of information. However, so many of the country gentlemen at last began to demand the indemnity bill, formerly mentioned, with such vehemence, that the minister was again obliged to promise, that it should be speedily brought forward; in consequence of which, the augmentation of the land-tax was soon agreed to.

An attempt was now made to get the militia-bill restrained in its duration to the time of the present contest; but this having proved abortive, another motion was made, that "the militia should not be called out of their respective counties, unless in case of actual invasion." This being also rejected, another was made, for empowering the king to assemble the parliament in fourteen days, whenever the present act, in the event of a war or rebellion in any part of the British dominions, should begin to operate; which was agreed to without a division. The many defeats which opposition had hitherto received, did not, however, prevent Mr. Burke from attempting another plan of reconciliation, which, though it failed of success, yet evinced a considerable increase of the minority; the numbers being now 210 to 105.

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plundered themselves, to become accomplices in plundering their brethren; was unexampled, except among pirates, the outlaws and enemies of human society." To all these high charges this shallow and inhuman ministry replied, "that the measure was an act of grace and favour; for," said they, "the crews of American vessels, instead of being put to death, the legal punishment of their demerits, as traitors and rebels, are by this law to be rated on the king's books, and treated as if they were on the same footing with a great body of his most useful and faithful subjects." It was also said, "that their pay and emoluments in the service of their lawful sovereign would be a compensation for all scruples that might arise from the supposed violation of their principles."

In the progress of the debates on this bill, lord Mansfield declared, "that the questions of original right and wrong were no longer to be considered---that they were engaged in a war, and must use their utmost efforts to obtain the ends proposed by it; that they must either fight or be pursued; and that the justice of the cause must give way to their present situation." Perhaps no speech in or out of parliament operated more extensively on the irritated minds of the colonists than this.

During the progress of the prohibitory bill in the house of commons, Mr. Fox moved to lay before the house, an account of the expenses of the staff, hospitals, extraordinaries, and all military contingencies whatsoever, of the army in America from August 1773 to August 1775 inclusive. A negative was put upon this motion without a division; ministers complained that it was a breach of regularity to demand such accounts, when no business pending in the house required them. Mr. Fox maintained that if such accounts should be given, they would show, that the expense of ordnance in 1775 had exceeded that in any of the duke of Marlborough's campaigns, and would lay open a scene of ministerial delusion, which many of the house little expected, particularly in the affair of all the estimates, in which the minister had incurred a debt of 240,000*l.* although every provision had been made from his own plans.

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Mr. Oliver, about this time, moved for an address to his majesty, to impart to the house the original authors and advisers of the late measures relative to America, before these measures were proposed in parliament. This motion, reasonable as it appears, was rejected by 163 to 10 only. Mr. Hartley, after this, attempted to propose a mode of reconciliation with America, which he was then rather inclined to do, as Britain seemed to be indifferent about taxation, and congress admitted, or were willing to admit, a general superintendency in parliament. A total repeal of all the obnoxious laws since the year 1763, and a general indemnity, were the principal heads of this bill; but these having undergone a full discussion before, the debate was very short, and only one of the resolutions which he proposed admitted of a division; the rest being rejected without it.

The recess for the holidays now took place, but previous to it, some changes in the ministry had happened which it is proper to notice; the privy seal, vacant by the resignation of the duke of Grafton, was given to the earl of Dartmouth, who resigned the secretaryship of the American department; lord George Sackville Germaine succeeded him, who once had been attached to opposition and a zealous friend of Mr. Grenville, after whose death he gradually came over to the side of administration, and had voted with them in favour of all the late measures respecting America. Lord Weymouth succeeded the earl of Rochford as secretary for the southern department.

(1776.) The first business of any consequence, after the recess, related to Ireland. The lord lieutenant of that kingdom had sent a written message to the house of commons, containing a requisition in the king's name, of 4000 additional troops from that kingdom for the American service, not to be paid by that establishment during their absence, and, if desired by them, to be replaced by an equal number of foreign protestant troops, the charges of which should be defrayed without any expense to Ireland. The commons granted 4000 troops, but rejected the offer of foreign troops, and the patriotic members wished rather to embody a part of the nation under the description of volunteers for their internal defence.

fence. But this liberty of disposing the public money without the knowledge of the British house of commons was not to be overlooked. A motion was accordingly made by Mr. Thomas Townsend, "That the earl of Harcourt, lord lieutenant general, and general governor of Ireland, did, on the 23d of November last, in breach of the privilege and in derogation of the honour and authority of this house, send a written message to the house of commons of the parliament of Ireland, signed with his own hand, to the following effect, &c." It was then moved that a committee should be appointed to inquire into the circumstance, and to report the same to the house. This motion being rejected, another was made for laying the votes of the Irish commons, relating to this business, before the house. This being likewise rejected without a division, a third was brought in, "That it is highly derogatory to the honour, and a violent breach of the privileges of this house, and a dangerous infringement of the constitution, for any person whatever to presume to pledge his majesty's royal word to the house of commons of the parliament of Ireland, 'That any part of the troops upon the establishment of that kingdom shall, upon being sent out of that kingdom, become a charge upon Great Britain,' without the consent of this house; or for any person to presume to offer to the house of commons of the parliament of Ireland, without the consent of this house, 'That such national troops, so sent out of Ireland, shall be replaced by foreign troops, at the expense of Great Britain'." This motion also was lost without a division.

Near the end of February, Mr. Fox made a motion, "That it be referred to a committee, to inquire into the causes of the ill success of his majesty's arms in North America, as also into the causes of the defection of the people of Quebec." Mr. Fox, in his introductory speech, disclaimed any intention to renew the arguments against the late measures of administration; these might admit of doubts; he would even for the time suppose them right, and now only inquire where the mismanagement, misconduct, incapacity, or neglect lay. Such misconduct
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had been confessed, even by the ministry; he wished therefore to bury for a time all former causes of dispute, and direct the attention of the committee to the causes of failure since the month of February 1775, the æra from whence coercive measures were to be dated. A debate of great length ensued. The friends of ministry facetiously threw the blame of our failure entirely on the Americans, who, it appeared, were better prepared than they had expected. The unexpected change of affairs, too, was brought as an excuse; that change having rendered the best-planned operations inefficacious; and much success was not to be expected on the first outset in a business of such consequence, and to be transacted at such a distance.—Mr. Fox's motion was rejected by 240 to 104.

The treaties which had been concluded with the landgrave of Hesse Cassel, the duke of Brunswick, and the hereditary prince of Hesse Cassel, for hiring their troops to the king of Great Britain, to be employed in the American service, being on the 29th of February laid before the house of commons, a motion was made thereon for referring them to the committee of supply. This occasioned a very interesting debate on the propriety of employing foreign troops against the Americans. The measure was supported on the necessity of prosecuting the war, and the impracticability of raising a sufficient number of domestic levies. It was also urged, "that foreign troops, inspired with the military maxims and ideas of implicit submission, would be less apt to be biassed by that false lenity which native soldiers might indulge, at the expense of national interest." It was said, "Are we to sit still and suffer an unprovoked rebellion to terminate in the formation of an independent hostile empire?" "Are we to suffer our colonies, the object of great national expense, and of two bloody wars, to be lost for ever to us, and given away to strangers, from a scruple of employing foreign troops to preserve our just rights over colonies for which we have paid so dear a purchase? As the Americans, by refusing the obedience and taxes of subjects, deny themselves to be a part of the British em-

pire, and make themselves foreigners, they cannot complain that foreigners are employed against them." On the other side, the measure was severely condemned; the necessity of the war was denied, and the nation was represented as disgraced by applying to the petty princes of Germany for succours against her own rebellious subjects. The tendency of the example to induce the Americans to form alliances with foreign powers, was strongly urged. It was said, "Hitherto the colonists have ventured to commit themselves singly in this arduous contest, without having recourse to foreign aid, but it is not to be doubted, that in future they will think themselves fully justified, both by our example and the laws of self-preservation, to engage foreigners to assist them in opposing those mercenaries, whom we are about to transport for their destruction. Nor is it doubtful that, in case of their application, European powers of a rank far superior to that of those petty princes, to whom we have so abjectly sued for aid, will consider themselves to be equally entitled to interfere in the quarrel between us and our colonies."

The supposition of the Americans receiving aid from France or Spain, was on this and several other occasions ridiculed, on the idea that these powers would not dare to set to their own colonies the dangerous example of encouraging those of Great Britain in opposing their sovereign. It was also supposed, that they would be influenced by considerations of future danger to their American possessions, from the establishment of an independent empire in their vicinity.

One of the most ardent of the debates which occurred this session was occasioned by an intimation from the secretary at war, that he would move, at a short specified day, for a supply to the amount of 845,165*l.* towards defraying the extraordinary expense of the land forces, and other services incurred between the 9th of March 1775, and the 31st of January 1776. Such an enormous demand called up all the fury of opposition. They examined the journals to show, that neither the glorious campaign of 1704, which saved the German empire, and
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broke and ruined that military force which for more than half a century had been the scourge and terror of Europe; nor that of 1760, which gave us the vast continent of North America; had in any degree equalled in expense the shameful campaign of Boston in 1775. They endeavoured to prove, by various calculations, that the maintenance of 8500 wretched, disgraced, and half-starved forces in Boston, had not cost the nation much less than 100*l.* per man. They examined the state of national finance, and called upon the minister to say, in what manner we were capable to support, in the present and future campaigns, 50,000 men in America at a proportional expense, exclusive of the naval, ordnance, and other charges of our standing expenses, and of the hazard of a foreign war. The glorious successes in queen Anne's wars, and of that of 1759, were displayed with all the powers of eloquence; while the most mortifying comparisons were made with regard to the exploits of this year. The battles of Blenheim and Schellenburgh were contrasted with those of Lexington and Bunker's Hill; and, to complete the picture, the river Mytic was compared to the Danube.

As the ministerial party, however superior in numbers, were very deficient in those great rhetorical powers which adorned the speeches of the leaders in opposition, they found themselves at present altogether unable to maintain their ground in fair debate, and therefore had recourse to the sanction of parliament. The ministers affirmed, That they had acted in this business from the beginning, not only with the concurrence, but also with the approbation of parliament; they had not taken it up wantonly, but found it as a legacy left them by their predecessors—That whenever parliament should think it necessary to alter its conduct or opinions, they would also give up or change their measures; but whilst they found themselves in full possession of the good opinion and confidence of a great majority of that house, they never would desert the trust reposed in them, but would continue to fulfil their duty at all events. There were only two simple questions arising on the subject: Whether the

money had been properly applied? and, Whether the measures that induced the expenditure were necessary? The former would in due time be attested by proper vouchers, and parliament had already repeatedly given its sanction to the latter—That as to the inglorious appearance of the campaign, it had the same origin with all the rest of our calamities, namely, too good an opinion of the Americans. It never could have been believed, that they would be wicked enough to join with Massachusetts Bay in rebellion, nor, consequently, able to shut up his majesty's forces in the town of Boston, and prevent the supply which the abundance of that country yielded. But our eyes were opened, and the measures taken in consequence must open the way to abundance; after which it was hoped, that there would be no longer any necessity for sending all their provisions from Europe. For the time, indeed, it was unhappily necessary; and whatever the expense might be, they could not justify themselves if they should starve either the army, or the cause in which they were engaged, but that the vigour and generosity of the present session would give repose and economy to the next. The question for the grant was carried on a division by 180 to 57.

The last proposal of a conciliatory nature was introduced by the duke of Grafton *, and seems to have been designed to remedy the defects of the late prohibitory act, which, as the opposition had all along contended, left no room whatever for accommodation. His grace's proposal indeed was much less favourable to the colonies than any that had hitherto been made. It consisted in a motion for an address to the king, that, in order to prevent the further effusion of blood, and to manifest the pacific intentions of both crown and parliament, a proclamation might be issued, declaring, that if the colonies, within a reasonable time, either before or after the arrival of the troops destined for America, should present a petition to the commander in chief, or to the commissioners to be appointed under the late act; setting forth in such peti-

* March 14.

tion, to be transmitted to his majesty, what they consider to be their just rights and real grievances; that in such case his majesty will agree to a suspension of arms; and that he has authority to assure them from his parliament, that their petition shall be received, considered, and answered. This proposal, however, was rejected by a majority of very near three to one, the numbers being 92 and 31. The ministers and their adherents had now totally changed their style; all modifications were laid aside, and the haughty language of assured victory and conquest most completely adopted. A reconciliation was declared to be little less than impracticable, and that, if any thing could add to the difficulties of such a project, it would be a concession upon the part of Britain; no alternative now remained between absolute conquest on our part, and unconditional submission on that of the Americans.

A bill for the establishment of a militia in Scotland had been brought in by lord Mountstewart, on the 8th of December 1775; but, from want of attendance, and multiplicity of other business, had been neglected during the greater part of the session. It was now brought under consideration; but, notwithstanding the apparent sanction of administration, as well as the patronage of the Scots gentlemen, it was at last thrown out by 112 to 95. On this occasion the minister divided with the minority.

On the 23d of May his majesty put an end to the session. In the speech, his majesty expressed the usual satisfaction with their proceedings; that no alteration had taken place in the state of foreign affairs; the commons were thanked for their readiness and despatch in granting the supplies, which unavoidably were this year extraordinary; a proper frugality was promised, and it was observed that they were engaged in a great national cause, the prosecution of which must be attended with great difficulties, and much expense; but when they considered, that the essential rights and interests of the whole empire were deeply concerned in the issue of it, and could have no safety or security but in that constitutional sub-
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ordination for which they were contending, it afforded a conviction that they could not think any price too high for such objects. His majesty hoped, that his rebellious subjects would be awakened to a sense of their errors, and by a voluntary return to their duty, justify the restoration of harmony; but if a due submission should not be obtained from such motives and dispositions on their part, it was trusted, that it would be effectuated by a full exertion of the great force with which they had entrusted him.

While these affairs were transacting in-England, the troops at Boston were suffering the inconvenience of a blockade. From the 19th of April they were cut off from those refreshments which their situation required; their supplies from Britain did not reach the coast for a long time after they were expected. Several were taken by the American cruizers, and others were lost at sea. This was in particular the fate of many of their coal-ships. The want of fuel was peculiarly felt in a climate where the winter is both severe and tedious. They relieved themselves in part from their sufferings on this account, by the timber of houses which they pulled down and burnt. Vessels were despatched to the West Indies to procure provisions; but the islands were so straitened that they could afford but little assistance. Armed ships and transports were ordered to Georgia, with an intent to procure rice; but the people of that province, with the aid of a party from South-Carolina, so effectually opposed them, that of eleven vessels, only two got off safe with their cargoes. It was not till the stock of the garrison was nearly exhausted, that the transports from England entered the port of Boston, and relieved the distresses of the garrison.

While the troops within the lines were apprehensive of suffering from want of provisions, the troops without were equally uneasy for want of employment. Used to labour and motion on their farms, they relished ill the inactivity and confinement of a camp-life. Fiery spirits declaimed in favour of an assault. They preferred a bold spirit of enterprise to that passive fortitude which bears

bears up under present evils, while it waits for favourable junctures. To be in readiness for an attempt of this kind, a council of war recommended to call in 7280 militia-men, from New-Hampshire or Connecticut. This number, added to the regular army before Boston, would have made an operating force of about 17,000 men.

The provincials laboured under great inconveniencies from the want of arms and ammunition. Very early in the contest, the king of Great Britain, by proclamation, forbade the exportation of warlike stores to the colonies. Great exertions had been made to manufacture saltpetre and gunpowder, but the supply was slow and inadequate. A secret committee of congress had been appointed, with ample powers, to lay in a stock of this necessary article. Some swift-sailing vessels had been despatched to the coast of Africa, to purchase what could be procured in that distant region. A party from Charlestown forcibly took about 17,000 pounds of powder from a vessel near the bar of St. Augustin. Some time after, commodore Hopkins stripped Providence, one of the Bahama islands, of a quantity of artillery and stores; but the whole procured from all these quarters was far short of a sufficiency. In order to supply the new army before Boston with the necessary means of defence, an application was made to Massachusetts for arms, but on examination it was found that their public stores afforded only 200. Orders were issued to purchase firelocks from private persons, but few had any to sell, and fewer would part with them. In the month of February, there were 2000 of the American infantry who were destitute of arms. Powder was equally scarce, and yet daily applications were made for the dividends of the small quantity which was on hand, for the defence of various parts threatened with invasion. The eastern colonies presented an unusual sight; a powerful enemy safely entrenched in their first city, while a fleet was ready to transport them to any part of the coast; a numerous body of husbandmen was resolutely bent on opposition, but without the necessary arms and ammunition for self-defence. The eyes

eyes of all were fixed on general Washington, and from him it was unreasonably expected that he would, by a bold exertion, free the town of Boston from the British troops. The dangerous situation of public affairs led him to conceal the real scarcity of arms and ammunition, and with that magnanimity which is characteristic of great minds, to suffer his character to be assailed, rather than vindicate himself by exposing his many wants. There were not wanting persons who, judging from the superior numbers of men in the American army, boldly asserted, that if the commander in chief was not desirous of prolonging his importance at the head of an army, he might, by a vigorous exertion, gain possession of Boston. Such suggestions were reported and believed by several, while they were uncontradicted by the general, who chose to risk his fame rather than expose his army and his country.

Agreeably to the request of the council of war, about 7000 of the militia had rendezvoused in February. General Washington stated to his officers, that the troops in camp, together with the reinforcements which had been called for, and were daily coming in, would amount nearly to 17,000 men—that he had not powder sufficient for a bombardment, and asked their advice whether, as reinforcements might be daily expected to the enemy, it would not be prudent, before that event took place, to make an assault on the British lines. The proposition was negatived; but it was recommended to take possession of Dorchester Heights. To conceal this design, and to divert the attention of the garrison, a bombardment of the town from other directions commenced, and was carried on for three days with as much briskness as a deficient stock of powder would admit. In this first essay, three of the mortars were broken, either from a defect in their construction, or more probably from ignorance of the proper mode of using them.

The night of the 4th of March was fixed upon for taking possession of Dorchester Heights. A covering-party of about 800 men led the way; these were followed by the carts with the entrenching tools, and 1200 of a
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working-party, commanded by general Thomas. In the rear there were more than 200 carts, loaded with fascines, and hay in bundles. While the cannon were playing in other parts, the greatest silence was kept by this working-party. The active zeal of the industrious provincials completed lines of defence by the morning, which astonished the garrison. The difference between Dorchester Heights on the evening of the 4th, and the morning of the 5th, seemed to realize the tales of romance. The admiral informed general Howe, that if the Americans kept possession of these heights, he would not be able to keep one of his majesty's ships in the harbour. It was therefore determined in a council of war, to attempt to dislodge them. An engagement was hourly expected. It was intended by general Washington, in that case, to force his way into Boston with 4000 men, who were to have embarked at the mouth of Cambridge river. The militia had come forward with great alertness, each bringing three days provision, in expectation of an immediate assault. The men were in high spirits, and impatiently waiting for the appeal.

They were reminded that it was the 5th of March, and were called upon to avenge the death of their countrymen killed on that day. The many eminences in and near Boston, which overlooked the ground on which it was expected that the contending parties would engage, were crowded with numerous spectators. But general Howe did not intend to attack till the next day. In order to be ready for it, the transports went down in the evening towards the castle. In the night a most violent storm, and towards morning a heavy flood of rain came on. A carnage was thus providentially prevented, that would probably have equalled, if not exceeded, the fatal one on the 17th of June at Breed's Hill. In this situation it was agreed by the British in a council of war, to evacuate the town as soon as possible.

In a few days after, a flag came out of Boston with a paper signed by four select-men, informing, "that they had applied to general Robertson, who, on an application to general Howe, was authorised to assure them that he had

had no intention of burning the town, unless the troops under his command were molested during their embarkation, or at their departure, by the armed force without." When this paper was presented to general Washington, he replied, "that as it was an unauthenticated paper, and without an address, and not obligatory on general Howe, he could take no notice of it;" but at the same time intimated his good wishes for the security of the town.

A proclamation was issued by general Howe, ordering all woollen and linen goods to be delivered to Creen Brush, esq. Shops were opened and stripped of their goods. A licentious plundering took place; much was carried off, and more was wantonly destroyed. These irregularities were forbidden in orders, and the guilty threatened with death, but, nevertheless, every mischief which disappointed malice could suggest was committed.

The British, amounting to more than 7000 men, evacuated Boston on the 17th of March, leaving their barracks standing, and also a number of pieces of cannon spiked, four large iron sea-mortars, and stores to the value of 30,000*l*. They demolished the castle, and knocked off the trunnions of the cannon. Various incidents caused a delay of nine days after the evacuation, before they left Nantasket-road.

This embarkation was attended with many circumstances of distress and embarrassment. On the departure of the royal army from Boston, a great number of the inhabitants, attached to their sovereign, and afraid of public resentment, chose to abandon their country. From the great multitude about to depart, there was no possibility of procuring purchasers for their furniture, neither was there a sufficiency of vessels for its convenient transportation. Mutual jealousy subsisted between the army and navy; each charging the other as the cause of some part of their common distress. The army was full of discontent. Reinforcements, though long promised, had not arrived: Both officers and soldiers thought themselves neglected. Five months had elapsed since they had received any advice of their destination. Wants and in-

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conveniencies increased their ill humour. Their intended voyage to Halifax subjected them to great dangers. The coast, at all times hazardous, was eminently so at that tempestuous equinoctial season. They had reason to fear they would be blown off to the West Indies, and without a sufficient stock of provisions. They were also going to a barren country. To add to their difficulties, this dangerous voyage, when completed, was directly so much out of their way. Their business lay to the southward, and they were going northward. Under all these difficulties, and with all these gloomy prospects, the fleet steered for Halifax. Contrary to appearances, the voyage thither was both short and prosperous. They remained there for some time, waiting for reinforcements and instructions from England. When the royal fleet and army departed from Boston, several ships were left behind for the protection of vessels coming from England, but the American privateers were so alert, that they nevertheless made many prizes. Some of the vessels which they captured, were laden with arms and warlike stores. Some transports, with troops on board, were also taken. These had run into the harbour, not knowing that the place was evacuated. The boats employed in the embarkation of the British troops had scarcely completed their business, when general Washington with his army marched into Boston. He was received with marks of approbation more flattering than the pomp of a triumph. The inhabitants, released from the severities of a garrison-life, and from the various indignities to which they were subjected, hailed him as their deliverer. Reciprocal congratulations between those who had been confined within the British lines and those who were excluded from entering them, were exchanged with an ardour which cannot be described. General Washington was honoured by congress with a vote of thanks: They also ordered a medal to be struck, with suitable devices, to perpetuate the remembrance of the great event. The Massachusetts council and house of representatives complimented him in a joint address, in which they expressed their good wishes in the following words: "May you

still go on, approved by Heaven, revered by all good men, and dreaded by those tyrants who claim their fellow-men as their property." His answer was modest and proper.

The evacuation of Boston had been previously determined upon by the British ministry, from principles of political expedience. Being resolved to carry on the war for purposes affecting all the colonies, they conceived a central position to be preferable to Boston. Reasoning of this kind had induced the adoption of the measure, but the American works on Roxbury expedited its execution. The abandonment of their friends, and the withdrawing their forces from Boston, was the first act of a tragedy in which evacuations and retreats were the scenes which most frequently occurred, and the epilogue of which was a total evacuation of the United States.

The tide of good fortune which in the autumn of 1775 flowed in upon general Montgomery, induced congress to reinforce the army under his command. Chamblée, St. John's, and Montreal, having surrendered to the Americans, a fair prospect opened of expelling the British from Canada, and of annexing that province to the united colonies. While they were in imagination anticipating these events, the army in which they confided was defeated, and the general whom they adored was killed. The intelligence transmitted from general Montgomery previous to his assault on Quebec *, encouraged congress to resolve that nine battalions should be kept up and maintained in Canada. The repulse of their army, though discouraging, did not extinguish the ardour of the Americans. It was no sooner known at head-quarters in Cambridge, than general Washington convened a council of war, by which it was resolved, "That as no troops could be spared from Cambridge, the colonies of Massachusetts, Connecticut, and New-Hampshire, should be requested to raise three regiments, and forward them to Canada: Congress also, on the 19th of January, resolved to forward the reinforcements previously voted, and to raise four battalions in New-York, for the defence

* January 8, 1776.

of that colony, and to garrison Crown Point, and the several posts to the southward of that fortress. That the army might be supplied with blankets for this winter-expedition, a committee was appointed to procure from householders such as could be spared from their families. To obtain a supply of hard money for the use of the army in Canada, proper persons were employed to exchange paper-money for specie. Such was the enthusiasm of the times, that many thousand Mexican dollars were freely exchanged at par, by individuals, for the paper bills of congress. It was also resolved to raise a corps of artillery for this service, and to take into the pay of the colonies one thousand Canadians, in addition to colonel Livingston's regiment; Moses Hazen, a native of Massachusetts, who had resided many years in Canada, was appointed to the command of this new corps.

On the 24th of January, congress addressed a letter to the Canadians, in which they observed, "Such is the lot of human nature, that the best of causes are subject to vicissitudes; but generous souls, enlightened and warmed with the fire of liberty, become more resolute as difficulties increase." They stated to them, "that eight battalions were raising to proceed to their province, and that if more force was necessary, it should be sent." They requested them to seize with eagerness the favourable opportunity then offered to co-operate in the present glorious enterprise; and they advised them to establish associations in their different parishes, to elect deputies for forming a provincial assembly, and for representing them in congress.

The cause of the Americans had received such powerful aid from many patriotic publications in their gazettes, and from the fervent exhortations of popular preachers, connecting the cause of liberty with the animating principles of religion, that it was determined to employ these two powerful instruments of revolutions, printing and preaching, to operate on the minds of the Canadians. A complete apparatus for printing, together with a printer and a clergyman, were therefore sent into Canada.

Congress also appointed Dr. Franklin, Mr. Chase, and Mr. Carrol, the two first of whom were members of
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their body, and the last a respectable gentleman of the Roman catholic persuasion, to proceed to Canada with the view of gaining over the people of that colony to the cause of America, and authorised them to promise on behalf of the united colonies, that Canada should be received into their association on equal terms, and also that the inhabitants thereof should enjoy the free exercise of their religion, and the peaceable possession of all their ecclesiastical property.

The desire of effecting something decisive in Canada before the approaching spring would permit relief to ascend the river St. Lawrence, added to the enthusiasm of the day, led the Americans to encounter difficulties which, in less animated times, would be reckoned insurmountable. Arthur St. Clair, who was appointed colonel of one of the Pennsylvania regiments, received his recruiting orders on the 10th of January; and notwithstanding the shortness of the period, his regiment was not only raised, but six companies of it had, in this extreme cold season, completed their march from Pennsylvania to Canada, a distance of several hundred miles, and on the 11th of April following joined the American army before Quebec.

Though congress and the states made great exertions to support the war in Canada, yet from the fall of Montgomery their interest in that colony daily declined. The reduction of Quebec was an object to which their resources were inadequate. Their unsuccessful assault on Quebec made an impression both on the Canadians and Indians unfavourable to their views. A woman infected with the small-pox had either been sent out, or voluntarily came out of Quebec, and by mixing with the American soldiers propagated that scourge of the new world, to the great diminution of the effective force of their army. The soldiers inoculated themselves, though their officers issued positive orders to the contrary. By the first of May so many new troops had arrived, that the American army, in name, amounted to 3000, but from the prevalence of the small-pox there were only 900 fit for duty. The increasing number of invalids retarded their
military

military operations, and discouraged their friends, while the opposite party was buoyed up with the expectation that the advancing season would soon bring them relief. To these causes of the declining interest of congress, it must be added, that the affections of the Canadians were alienated. They had many and well-founded complaints against the American soldiers. Unrestrained by the terror of civil law, and refusing obedience to a military code, the hope of impunity and the love of plunder led many of the invading army to practices not less disgraceful to themselves than injurious to the cause in which they had taken arms. Not only the common soldiers, but the officers of the American army, deviated in their intercourse with the Canadians, from the maxims of sound policy. Several of them having been lately taken from obscure life were giddy with their exaltation. Far from home, they were unawed by those checks which commonly restrain the ferocity of man.

On the 5th of May, the van of the British force destined for the relief of Quebec made good its passage through the ice up the river St. Lawrence. The expectation of their coming had for some time damped the hopes of the besiegers, and had induced them to think of a retreat. The day before the first of the British reinforcements arrived, that measure was resolved upon by a council of war, and arrangements were made for carrying it into execution.

Governor Carleton was too great a proficient in the art of war, to delay seizing the advantages which the consternation of the besiegers, and the arrival of a reinforcement, afforded. A small detachment of soldiers and marines from the ships which had just ascended the river St. Lawrence, being landed and joined to the garrison in Quebec, he marched out at their head to attack the Americans. On his approach, he found every thing in confusion; the late besiegers, abandoning their artillery and military stores, had in great precipitation retreated. In this manner, at the expiration of five months, the mixed siege and blockade of Quebec was raised.

The reputation acquired by general Carleton in his military character, for bravely and judiciously defending the province

Province committed to his care, was exceeded by the superior applause, merited from the exercise of the virtues of humanity and generosity. Among the numerous sick in the American hospitals, several incapable of being moved were left behind. The victorious general proved himself worthy of success by his treatment of these unfortunate men; he not only fed and clothed them, but permitted them, when recovered, to return home. Apprehending that fear might make some conceal themselves in the woods, rather than, by applying for relief, make themselves known, he removed their doubts by a proclamation *, in which he engaged, "that as soon as their health was restored, they should have free liberty of returning to their respective provinces." This humane line of conduct was more injurious to the views of the leaders in the American councils, than the severity practised by other British commanders. The truly politic, as well as humane, general Carleton, dismissed these prisoners, after liberally supplying their wants, with a recommendation, "to go home, mind their farms, and keep themselves and their neighbours from all participation in the unhappy war."

The small force which arrived at Quebec in May, was followed by several British regiments, together with the Brunswick troops, in such a rapid succession, that in a few weeks the whole was estimated at 13,000 men.

The Americans retreated forty-five miles before they stopped. After a short halt, they proceeded to the Sorel, at which place they threw up some slight works for their safety. They were there joined by some battalions coming to reinforce them. About this time, general Thomas, the commander in chief in Canada, was seized with the small-pox, and died; having forbidden his men to inoculate, he conformed to his own rule, and refused to avail himself of that precaution. On his death, the command devolved at first on general Arnold, and afterwards on general Sullivan. It soon became evident that the Americans must abandon the whole province of Canada.

* May 10.

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From a desire to do something which might counter-balance, in the minds of the Canadians, the unfavourable impression which this farther retreat would communicate, general Thomson projected an attack on the British post at the Three Rivers. This lies about half way between Quebec and Montreal, and is so called from the vicinity of one of the branches of a large river, whose waters are discharged through three mouths into the St. Lawrence. With this view a detachment of six hundred men was put under the command of colonel St. Clair. At their head he advanced to the village of Nicolette. When every thing was ready for the enterprise, intelligence was received that six transports, escorted by two frigates from Quebec, had arrived and brought a large addition to the late force at the Three Rivers. This caused some new movements, and a delay till more troops could be brought forward. General Thomson then came on with a reinforcement, and took the command of the whole. It was determined to make the proposed attack in four different places at the same time. One division, commanded by colonel Wayne, was to gain the eastern extremity of the town: One, commanded by colonel Maxwell, was to enter from the northward about the centre; and the other two divisions, commanded by colonels Sinclair and Iviné, were to enter from the westward. The whole having embarked at midnight, landed at the Point du Lac, about three hours before day. At some distance from this point, there are two ways of approaching Three Rivers, one by a road that leads along the banks of the St. Lawrence, the other by a road almost parallel, but at a considerable distance. It had been determined to advance on the last. Intelligence was brought to general Thomson, soon after his landing, that a party of 3 or 400 men were posted at three miles distance. The troops were instantly put in motion to dislodge them. The intelligence proved to be false, but it had carried the detachment some distance beyond the point where the roads separated. To have returned, would have consumed time that could not be spared, as the day was fast approaching. It was therefore resolved to proceed in a diagonal direction towards

towards the road they had left. After being much retarded by very difficult grounds, they arrived at a morass which seemed impassable. Here the day broke, when they were six miles from their object. General Thomson suspecting the fidelity of his guides, put them under arrest, reversed the order of his march, and again reached the road by the river. He had advanced but a small distance before he was fired upon by two armed vessels.

All expectation of succeeding by surprise was now at an end; it was therefore instantly determined to make an open attack. The sun was rising; the drums were ordered to beat, and the troops moved on with the greatest alacrity. Having advanced three miles farther, the ships of war began to fire on them. The American officer who led the advance, struck into a road on the left, which also led to the town, and was covered from the fire of the ships. This last road was circuitous, and led through a vast tract of woodland at that season almost impassable. He nevertheless entered the wood, and the rest of the detachment followed. After incredible labour, and wading a rivulet breast deep, they gained the open country north of the village. A party of the British were soon discovered about a mile to the left of the Americans, and between them and the town. Colonel Wayne, ardent for action, immediately attacked them. The onset was gallant and vigorous, but the contest was unequal. The Americans were soon repulsed and forced to retreat. In the beginning of the action general Thomson left the main body of his corps to join that which was engaged. The woods were so thick, that it was difficult for any person in motion, after losing sight of an object, to recover it. The general therefore never found his way back. The situation of colonel St. Clair, the next in command, became embarrassing. In his opinion a retreat was necessary, but not knowing the precise situation of his superior officer, and every moment expecting his return, he declined giving orders for that purpose. At last, when the British were discovered on the river road, advancing in a direction to gain the rear of the Americans, colonel

colonel St. Clair, in the absence of general Thomson, ordered a retreat. This was made by treading back their steps through the same dismal swamp by which they had advanced. The British marched directly for the Point du Lac, with the expectation of securing the American batteaux. On their approach major Wood, in whose care they had been left, retired with them to the Sorel. At the Point du Lac, the British halted, and took a very advantageous position. As soon as it was discovered that the Americans had retired, a party of the British pursued them. When the former arrived near the place of their embarkation, they found a large party of their enemies posted in their front, at the same time that another was only three quarters of a mile in their rear. Here was a new and trying dilemma, and but little time left for consideration. There was an immediate necessity, either to lay down their arms, or attempt by a sudden march to turn the party in front and get into the country beyond it. The last was thought practicable. Colonel St. Clair having some knowledge of the country from his having served in it in the preceding war, gave them a route by the Acadian village where the river de Loups is fordable. They had not advanced far when colonel St. Clair found himself unable to proceed from a wound, occasioned by a root which had penetrated through his shoe. His men offered to carry him, but this generous proposal was declined. He and two or three officers, who having been worn down with fatigue, remained behind with him, found an asylum under a cover of a large tree which had been blown up by the roots. They had not been long in this situation when they heard a firing from the British in almost all directions; they nevertheless lay still, and in the night stole off from the midst of surrounding foes. They were now pressed with the importunate cravings of hunger, for they were entering on the third day without food. After wandering for some time they accidentally found some peasants, who entertained them with great hospitality. In a few days they joined the army at Sorel, and had the satisfaction to find that the greatest part of the detachment had arrived safe before them. In their way

way through the country, although they might in almost every step of it have been made prisoners, and had reason to fear that the inhabitants, from the prospect of reward, would have been tempted to take them, yet they met with neither injury nor insult. General Thomson was not so fortunate. After having lost the troops, and falling in with colonel Irwine, and some other officers, they wandered the whole night in thick swamps, without being able to find their way out. Failing in their attempts to gain the river, they had taken refuge in a house, and were there made prisoners.

The British forces having arrived, and a considerable body of them having rendezvoused at the Three Rivers, a serious pursuit of the American army commenced. Had sir Guy Carleton taken no pains to cut off their retreat, and at once attacked their post, or rather their fortified camp at Sorel, it would probably have fallen into his hands; but either the bold, though unsuccessful attack at the Three Rivers had taught him to respect them, or he wished to reduce them without bloodshed. In the pursuit he made three divisions of his army, and arranged them so as to embrace the whole American encampment, and to command it in every part. The retreat was delayed so long that the Americans evacuated Sorel, only about two hours before one division of the British made its appearance.

While the Americans were retreating, they were daily assailed by the remonstrances of the inhabitants of Canada, who had either joined or befriended them. Great numbers of Canadians had taken a decided part in their favour, rendered them essential services, and thereby incurred the heavy penalties annexed to the crime of supporting rebellion. These, though congress had assured them but a few months before, "that they would never abandon them to the fury of their common enemies," were, from the necessity of the case, left exposed to the resentment of their provincial rulers. Several of them, with tears in their eyes, expostulated with the retreating army, and, bewailing their hard fate, prayed for support. The only relief the Americans could offer was an

an assurance of continued protection, if they retreated with them; but this was a hard alternative to men who had wives, children, and immoveable effects. They generally concluded, that it was the least of two evils to cast themselves on the mercy of that government against which they had offended.

The distresses of the retreating army were great. The British were close on their rear, and threatening them with destruction. The unfurnished state of the colonies in point of ordnance imposed a necessity of preserving their cannon. The men were obliged to drag their loaded batteaux up the rapids by mere strength, and when they were to the middle in water. The retreating army was also encumbered with great numbers labouring under the small-pox and other diseases. Two regiments, at one time, had not a single man in health; another had only six, and a fourth only forty, and two more were in nearly the same condition.

To retreat in the face of an enemy is at all times hazardous; but on this occasion it was attended with an unusual proportion of embarrassments. General Sullivan, who conducted the retreat, nevertheless acted with so much judgment and propriety, that the baggage and public stores were saved, and the numerous sick brought off. The American army reached Crown Point on the 1st of July, and at that place made their first stand.

A short time before the Americans evacuated the province of Canada, general Arnold convened the merchants of Montreal, and proposed to them to furnish a quantity of specified articles for the use of the army in the service of congress. While they were deliberating on the subject, he placed centinels at their shop doors, and made such arrangements, that what was at first only a request, operated as a command. A great quantity of goods were taken on pretence that they were wanted for the use of the American army, but in their number were many articles only serviceable to women, and to persons in civil life. His nephew soon after opened a store in Albany, and publicly disposed of goods which had been procured at Montreal.

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The possession of Canada so eminently favoured the plans of defence adopted by congress, that the province was evacuated with great reluctance. The Americans were not only mortified at the disappointment of their favourite scheme, of annexing it as a fourteenth link in the chain of their confederacy, but apprehended the most serious consequences from the ascendancy of the British power in that quarter. Anxious to preserve a footing there, they had persevered for a long time in stemming the tide of unfavourable events.

General Gates was about this time * appointed to command in Canada, but on coming to the knowledge of the late events in that province, he determined to stop short within the limits of New-York. The scene was henceforth reversed. Instead of meditating the recommencement of offensive operations, that army which had lately excited so much terror in Canada, was called upon to be prepared for repelling an invasion threatened from that province.

The attention of the Americans being exclusively fixed on plans of defence, their general officers commanding in the northern department were convened to deliberate on the place and means most suitable for that purpose. To form a judgment on this subject, a recollection of the events of the late war between France and England was of advantage. The same ground was to be fought over, and the same posts to be again contended for. On the confines of Lake George and Lake Champlain, two inland seas, which stretch almost from the sources of Hudson's river to the St. Lawrence, are situated the famous posts of Ticonderoga and Crown Point. These are of primary necessity to any power which contends for the possession of the adjacent country, for they afford the most convenient stand either for its annoyance or defence. In the opinion of some American officers, Crown Point, to which the army on the evacuation of Canada had retreated, was the most proper place for erecting works of defence; but it was otherwise determined by the council

* June 17.

convened

convened on this occasion. It was also by their advice resolved to move lower down, and to make the principal work on the strong ground east of Ticonderoga, and especially by every means to endeavour to maintain a naval superiority on Lake Champlain. In conformity to these resolutions, general Gates, with about 12,000 men, which collected in the course of the summer, was fixed in command of Ticonderoga, and a fleet was constructed at Skenesborough. This was carried on with so much rapidity, that in a short time there were afloat in Lake Champlain, one sloop, three schooners, and six gondolas, carrying in the whole 58 guns, 86 swivels, and 440 men. Six other vessels were also nearly ready for launching at the same time. The fleet was put under the command of general Arnold, and he was instructed by general Gates to proceed beyond Crown Point, down Lake Champlain, to the Split Rock; but most peremptorily restrained from advancing any farther, as security against an apprehended invasion was the ultimate end of the armament.

The expulsion of the American invaders from Canada was but a part of the British designs in that quarter. They urged the pursuit no farther than St. John's, but indulged the hope of being soon in a condition for passing the lakes, and penetrating through the country to Albany, so as to form a communication with New-York. The objects they had in view were great, and the obstacles in the way of their accomplishment equally so. Before they could advance with any prospect of success, a fleet superior to that of the Americans on the lakes was to be constructed. The materials of some large vessels were, for this purpose, brought from England, but their transportation, and the labour necessary to put them together, required both time and patience. The spirit of the British commanders rose in proportion to the difficulties which were to be encountered. Nevertheless it was so late as the month of October before their fleet was prepared to face the American naval force on Lake Champlain. The former consisted of the ship *Inflexible*, mounting 18 twelve-pounders, which was so expeditiously

constructed; that she sailed from St. John's 28 days after laying her keel; one schooner mounting 14, and another 12 six-pounders; a flat-bottomed radeau carrying six 24 and six 12 pounders, besides howitzers, and a gondola with seven nine-pounders. There were also twenty smaller vessels with brass field-pieces, from 9 to 24 pounders, or with howitzers. Some longboats were furnished in the same manner. An equal number of large boats acted as tenders. Besides these vessels of war, there was a vast number destined for the transportation of the army, its stores, artillery, baggage, and provisions. The whole was put under the command of captain Pringle. The naval force of the Americans, from the deficiency of means, was far short of what was brought against them. Their principal armed vessel was a schooner, which mounted only 12 six and four pounders, and their whole fleet, in addition to this, consisted of only fifteen vessels of inferior force.

No one step could be taken towards accomplishing the designs of the British, on the northern frontiers of New-York, till they had the command of Lake Champlain. With this view their fleet proceeded up the lake, and on the 11th of October engaged the Americans. The wind was so unfavourable to the British, that their ship Inflexible, and some other vessels of force, could not be brought to action. This lessened the inequality between the contending fleets so much, that the principal damage sustained by the Americans was the loss of a schooner and gondola. At the approach of night the action was discontinued. The vanquished took the advantage which the darkness afforded to make their escape. This was effected by general Arnold with great judgment and ability. By the next morning the whole fleet under his command was out of sight. The British pursued with all the sail they could crowd. The wind having become more favourable, they overtook the Americans, and on the 17th of October brought them to action near Crown Point. A smart engagement ensued, and was well supported on both sides for about two hours. Some of the American vessels which were most a-head escaped to Ticonderoga.

conderoga. Two gallies and five gondolas remained, and resisted an unequal force with a spirit approaching to desperation. One of the gallies struck and was taken. General Arnold, though he knew that to escape was impossible, and to resist unavailing, yet, instead of surrendering, determined that his people should not become prisoners, nor his vessels a reinforcement to the British. This spirited resolution was executed with a judgment equal to the boldness with which it had been adopted. He run the Congress galley, on board of which he was, together with the five gondolas, on shore, in such a position as enabled him to land his men and blow up the vessels. In the execution of this perilous enterprise he paid a romantic attention to a point of honour. He did not quit his own galley till she was in flames, lest the British should board her and strike his flag. The result of this action, though unfavourable to the Americans, raised the reputation of general Arnold higher than ever; in addition to the fame of a brave soldier he acquired that of an able sea officer.

The American naval force being nearly destroyed, the British had undisputed possession of Lake Champlain. On this event a few continental troops, which had been at Crown Point, retired to their main body at Ticonderoga. General Carleton took possession of the ground from which they had retreated, and was there soon joined by his army. He sent out several reconnoitring parties, and at one time pushed forward a strong detachment on both sides of the lake, which approached near to Ticonderoga. Some British vessels appeared at the same time, within cannon shot of the American works at that place. It is probable he had it in contemplation, if circumstances favoured, to reduce the post, and that the apparent strength of the works restrained him from making the attempt, and induced his return to Canada.

The command of the force which was destined to make an impression on the southern colonies, was by the British ministry committed to general Clinton and sir Peter Parker; the former with a small force having called at

New-York, and also visited in Virginia lord Dunmore, the late royal governor of that colony, and finding that nothing could be done at either place, proceeded to Cape Fear river. At that place he issued a proclamation from on board the Pallas transport, offering free pardon to all such as should lay down their arms, excepting Cornelius Haffnett and Robert Howe; but the recent defeat of the regulators and highlanders restrained even their friends from paying any attention to this act of grace.

At Cape Fear a junction was formed between sir Henry Clinton and sir Peter Parker. They concluded to attempt the reduction of Charlestown, as being, of all places within the line of their instructions, the object at which they could strike with the greatest prospect of advantage. They had 2800 land forces, which they hoped, with the co-operation of their shipping, would be fully sufficient.

For some months every exertion had been made by the Americans to put the colony of South-Carolina, and especially its capital, Charlestown, in a respectable posture of defence. In subserviency to this view, works had been erected on Sullivan's Island, which is situated so near the channel leading up to the town, as to be a convenient post for amoying vessels approaching it.

On the 18th of July sir Peter Parker attacked the fort on that island, with two fifty-gun ships, the Bristol and Experiment, four frigates, the Active, Aetion, Solebay, and Syren, each of 28 guns; the Sphynx of 20 guns, the Friendship armed vessel of 22 guns, the Ranger sloop, and Thunder bomb, each of 8 guns. On the fort were mounted 26 cannon, 26, 18, and 9 pounders. The attack commenced between ten and eleven in the forenoon, and was continued for upwards of ten hours. The garrison, consisting of 375 regulars and a few militia, under the command of colonel Moultrie, made a most gallant defence. They fired deliberately, for the most part took aim, and seldom missed their object. The ships were torn almost to pieces, and the killed and wounded on board exceeded 200 men. The loss of the garrison was only ten men killed, and 22 wounded. The fort being
built

built of palmetto, was little damaged; the shot which struck it were ineffectually buried in its soft wood. General Clinton had, some time before the engagement, landed with a number of troops on Long Island, and it was expected that he would have co-operated with sir Peter Parker, by crossing over the narrow passage which divides the two islands, and attacking the fort in its unfinished rear; but the extreme danger to which he must unavoidably have exposed his men, induced him to decline the perilous attempt. Colonel Thomson, with 7 or 800 men, was stationed at the east end of Sullivan's Island, to oppose their crossing. No serious attempt was made to land, either from the fleet, or the detachment commanded by sir Henry Clinton. The firing ceased in the evening, and soon after the ships slipped their cables; before morning they had retired about two miles from the island. Within a few days more the troops re-embarked, and the whole sailed for New-York. The thanks of congress were given to general Lee, who had been sent on by congress to take the command in Carolina, and also to colonels Moultrie and Thomson, for their good conduct on this memorable day. In compliment to the commanding officer, the fort from that time was called Fort Moultrie.

During the engagement, the inhabitants stood with arms in their hands at their respective posts, prepared to receive the enemy wherever they might land. Impressed with high ideas of British power and bravery, they were apprehensive that the fort would be either silenced or passed, and that they should be called to immediate action. They were cantoned in the various landing-places near Charlestown, and their resolution was fixed to meet the invaders at the water's edge, and dispute every inch of ground, trusting the event to Heaven.

By the repulse of this armament, the southern states obtained a respite from the calamities of war for two years and a half. The defeat the British experienced at Charlestown, seemed in some measure to counterbalance the unfavourable impression made by their subsequent successes to the northward. The event of the expedition contributed greatly to establish the cause which it was intended

to overlet. In opposition to the bold assertions of some, and the desponding fears of others, experience proved that America might effectually resist a British fleet and army. Those who from interested motives had abetted the royal government, ashamed of their opposition to the struggles of an infant people for their dearest rights, retired into obscurity.

The effects of this victory, in animating the Americans, were much greater than could be warranted by the circumstances of the action. As it was the first attack made by the British navy, its unsuccessful issue inspired a confidence which a more exact knowledge of military calculations would have corrected. The circumstance of its happening in the early part of the war, and in one of the weaker provinces, were happily instrumental in dispelling the gloom which overshadowed the minds of many of the colonists on hearing of the powerful fleets and numerous armies which were coming against them.

The command of the force which was designed to operate against New-York, in this campaign, was given to admiral lord Howe, and his brother sir William, officers who, as well from their personal characters, as the known bravery of their family, stood high in the confidence of the British nation. To this service was allotted a very powerful army, consisting of about 30,000 men. This force was far superior to any thing that America had hitherto seen. The troops were amply provided with artillery, military stores, and warlike materials of every kind, and were supported by a numerous fleet. The admiral and general, in addition to their military powers, were appointed commissioners for restoring peace to the colonies.

General Howe having in vain waited two months at Halifax for his brother, and the expected reinforcements from England, impatient of farther delays, on the 10th of June sailed from that harbour, with the force with which he had previously commanded in Boston, and directing his course towards New-York, arrived in the latter end of June, off Sandy Hook. Admiral lord Howe, with part of the reinforcement from England, arrived at Halifax soon after his brother's departure. Without dropping anchor

another he followed, and soon after joined him near Staten Island. The British general, on his approach, found every part of New-York island, and the most exposed parts of Long Island, fortified and well defended by artillery. About fifty British transports anchored near Staten Island, which had not been so much the object of attention. The inhabitants, either from fear, policy, or affection, expressed great joy on the arrival of the royal forces. General Howe was there met by Tryon, late governor of the province, and by several of the loyalists, who had taken refuge with him in an armed vessel. He was also joined by about sixty persons from New-Jersey, and 200 of the inhabitants of Staten Island were embodied as a royal militia. From these appearances, great hopes were indulged that as soon as the army was in a condition to penetrate into the country, and protect the loyalists, such numbers would flock to their standard as would facilitate the attainment of the objects of the campaign.

While such were the arrangements of the British generals, a bold and decisive measure was taken by their opponents, which gave a new complexion to the contest, and was soon productive of the most important consequences. We speak of the declaration of independence.

The public mind had been long prepared by pamphlets and harangues for this important step. But in the people the eagerness for independence resulted more from feeling than reasoning. The advantages of an unfettered trade, the prospect of honours and emoluments in administering a new government, were of themselves insufficient motives for adopting this bold measure. But what was wanting from considerations of this kind, was made up by the perseverance of Great Britain in her schemes of coercion and conquest. The determined resolution of the mother-country to subdue the colonists, together with the plans she adopted for accomplishing that purpose, and their equally determined resolution to appeal to Heaven rather than submit, made a declaration of independence as necessary in 1776, as was the non-importation agreement of 1774, or the assumption of arms
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in 1775. The last naturally resulted from the first. The revolution was not forced on the people by ambitious leaders grasping at supreme power, but every measure of it was forced on congress, by the necessity of the case and the voice of the people. The change of the public mind of America respecting a connexion with Great Britain is without a parallel. In the short space of two years, nearly three millions of people passed over from the love and duty of loyal subjects, to the hatred and resentment of enemies.

The motion for declaring the colonies free and independent was first made in congress by Richard Henry Lee, of Virginia; he was warranted in making this motion by the particular instructions of his immediate constituents, and also by the general voice of the people of all the states. When the time for taking the subject under consideration arrived, much knowledge, ingenuity, and eloquence were displayed on both sides of the question. The debates were continued for some time, and with great animation. In these John Adams, and John Dickinson, took leading and opposite parts. The former strongly urged the immediate dissolution of all political connexion of the colonies with Great Britain, from the voice of the people, from the necessity of the measure in order to obtain foreign assistance, from a regard to consistency, and from the prospects of glory and happiness, which opened beyond the war, to a free and independent people. Mr. Dickinson replied to this speech. He urged that the present time was improper for the declaration of independence, that the war might be conducted with equal vigour without it, that it would divide the Americans, and unite the people of Great Britain against them. He then proposed that some assurance should be obtained of assistance from a foreign power, before they renounced their connexion with Great Britain, and that the declaration of independence should be the condition to be offered for this assistance. He likewise stated the disputes that existed between several of the colonies, and proposed that some measures for the settlement of them should be determined upon, before they lost sight of that

that tribunal which had hitherto been the umpire of all their differences.

After a full discussion, the measure of declaring the colonies free and independent was approved, by nearly an unanimous vote. The anniversary of the day on which this great event took place, has ever since been consecrated by the Americans to religious gratitude and social pleasures; it is considered by them as the birth-day of their freedom.

The act of the united colonies for separating themselves from the government of Great Britain, and declaring their independence, was expressed in the following words:

“ When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature’s God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

“ We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its power in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to re-
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duce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

“ He has refused his assent to laws the most wholesome and necessary for the public good.

“ He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended he has utterly neglected to attend to them.

“ He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

“ He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

“ He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

“ He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining in the mean time exposed to all the danger of invasion from without, and convulsions within.

“ He has endeavoured to prevent the population of these states, for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

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“ He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

“ He has made judges dependant on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

“ He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out their substance.

“ He has kept among us, in time of peace, standing armies, without the consent of our legislatures.

“ He has affected to render the military independent of, and superior to, the civil power.

“ He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation :

“ For quartering large bodies of armed troops among us :

“ For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states :

“ For cutting off our trade with all parts of the world :

“ For imposing taxes on us without our consent :

“ For depriving us, in many cases, of the benefits of trial by jury :

“ For transporting us beyond the seas to be tried for pretended offences :

“ For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies :

“ For taking away our charters, abolishing our most valuable laws, and altering fundamentally the form of our governments :

“ For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

“ He has abdicated government here, by declaring us out of his protection, and waging war against us.

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"He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

"He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun, with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

"He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

"He has excited domestic insurrections among us, and has endeavoured to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

"In every stage of these oppressions we have petitioned for redress in the most humble terms: Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

"Nor have we been wanting in attention to our British brethren. We have warned them from time to time of attempts made by their legislature, to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them as we hold the rest of mankind, enemies in war, in peace, friends.

"We, therefore, the representatives of the United States of America, in general congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do in the name, and by authority of the

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good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, FREE and INDEPENDENT STATES; that they are absolved from all allegiance to the British crown; and that all political connexion between them and the state of Great Britain is and ought to be totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honour.

“ JOHN HANCOCK, President.

“ *New-Hampshire*, Josiah Bartlett, William Whipple, Matthew Thornton. *Massachusetts Bay*, Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry. *Rhode Island, &c.* Stephen Hopkins, William Ellery. *Connecticut*, Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott. *New-York*, William Floyd, Philip Livingston, Francis Lewis, Lewis Morris. *New-Jersey*, Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abraham Clark. *Pennsylvania*, Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Ross. *Delaware*, Cæsar Rodney, George Read. *Maryland*, Samuel Chase, William Paca, Thomas Stone, Charles Carroll, of Carrollton. *Virginia*, George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, jun. Francis Lightfoot Lee, Carter Braxton. *North-Carolina*, William Hooper, Joseph Hewes, John Penn. *South-Carolina*, Edward Rutledge, Thomas Heyward, jun. Thomas Lynch, jun. Arthur Middleton. *Georgia*, Button Gwinnet, Lyman Hall, George Walton.”

From the promulgation of this declaration, every thing assumed a new form. The Americans no longer appeared in the character of subjects in arms against their sovereign, but as an independent people, repelling the attacks of an invading foe. The propositions and supplications for reconciliation were done away. The dispute was brought to a single point, whether the late British colonies should be conquered provinces, or free and independent states.

All political connexion between Great Britain and her colonies being dissolved, the institution of new forms of government became unavoidable. The necessity of this was so urgent, that congress *, before the declaration of independence, had recommended to the respective assemblies and conventions of the United States, to adopt such governments as should, in their opinion, best conduce to the happiness and safety of their constituents. During more than twelve months the colonists had been held together by the force of ancient habits, and by laws under the simple style of recommendations. The impropriety of proceeding in courts of justice by the authority of a sovereign, against whom the colonies were in arms, was self-evident. The impossibility of governing, for any length of time, three millions of people, by the ties of honour, without the authority of law, was equally apparent. The rejection of British sovereignty therefore drew after it the necessity of fixing on some other principle of government. The genius of the Americans, their republican habits and sentiments, naturally led them to substitute the majesty of the people, in lieu of discarded royalty. The kingly office was dropped, but in most of the subordinate departments of government, ancient forms and names were retained. Such a portion of power had at all times been exercised by the people and their representatives, that the change of sovereignty was hardly perceptible, and the revolution took place without violence or convulsion. Popular elections elevated private citizens to the same offices which formerly had been conferred by

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royal appointment. The people felt an uninterrupted continuation of the blessings of law and government under old names, though derived from a new sovereignty, and were scarcely sensible of any change in their political constitution. The checks and balances which restrained the popular assemblies under the royal government, were partly dropped and partly retained, by substituting something of the same kind. The temper of the people would not permit that any one man, however exalted by office, or distinguished by abilities, should have a negative on the declared sense of a majority of their representatives; but the experience of all ages had taught them the danger of lodging all power in one body of men. A second branch of legislature, consisting of a few select persons, under the name of senate, or council, was therefore constituted in eleven of the thirteen states, and their concurrence made necessary to give the validity of law to the acts of a more numerous branch of popular representatives. New-York and Massachusetts went one step further. The former constituted a council of revision, consisting of the governor and the heads of judicial departments, on whose objecting to any proposed law, a reconsideration became necessary, and unless it was confirmed by two-thirds of both houses, it could have no operation. A similar power was given to the governor of Massachusetts: Georgia and Pennsylvania were the only states whose legislature consisted of only one branch. Though many in these states, and a majority in all the others, saw and acknowledged the propriety of a compounded legislature, yet the mode of creating two branches out of a homogeneous mass of people, was a matter of difficulty. No distinction of ranks existed in the colonies, and none were entitled to any rights, but such as were common to all. Some possessed more wealth than others, but riches and ability were not always associated. Ten of the eleven states, whose legislatures consisted of two branches, ordained that the members of both should be elected by the people. This rather made two co-ordinate houses of representatives, than a check on a single one, by the moderation of a select few. Maryland adopted a singular plan

for constituting an independent senate. By her constitution, the members of that body were elected for five years, while the members of the house of delegates held their seats only for one. The number of senators was only fifteen, and they were all elected indiscriminately from the inhabitants of any part of the state, excepting that nine of them were to be residents on the west, and six on the east side of the Chesapeak Bay. They were elected not immediately by the people, but by electors, two from each county, appointed by the inhabitants for that sole purpose. By these regulations, the senate of Maryland consisted of men of influence, integrity, and abilities; and such as were a real and beneficial check on the hasty proceedings of a more numerous branch of popular representatives. The laws of that state were well digested, and its interests steadily pursued, with a peculiar unity of system; while elsewhere it too often happened, in the fluctuation of public assemblies, and where the legislative department was not sufficiently checked, that passion and party predominated over principle and public good.

Pennsylvania, instead of a legislative council or senate, adopted the expedient of publishing bills after the second reading, for the information of the inhabitants. This had its advantages and disadvantages. It prevented the precipitate adoption of new regulations, and gave an opportunity of ascertaining the sense of the people on those laws by which they were to be bound: But it carried the spirit of discussion into every corner, and disturbed the peace and harmony of neighbourhoods. By making the business of government the duty of every man, it drew off the attention of many from the steady pursuit of their respective businesses.

The state of Pennsylvania also adopted another constitution peculiar to itself, under the denomination of a council of censors. These were to be chosen once every seven years, and were authorised to inquire whether the constitution had been preserved—whether the legislative and executive branch of government had performed their duty, or assumed to themselves, or exercised other or greater powers than those to which they were constitution-

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The Americans agreed in appointing a supreme executive head to each state, with the title either of governor or president. They also agreed in deriving the whole powers of government, either mediately or immediately, from the people. In the eastern states, and in New-York, their governors were elected by the inhabitants, in their respective towns or counties, and in the other states by the legislatures; but in no case was the smallest tittle of power exercised from hereditary right. New-York was the only state which invested its governor with executive authority without a council. Such was the extreme jealousy of power which pervaded the American states, that they did not think proper to trust the man of their choice with the power of executing their own determinations, without obliging him in many cases to take the

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advice of such counsellors as they thought proper to nominate. The disadvantages of the institution far outweighed its advantages. Had the governors succeeded by hereditary right, a council would have been often necessary to supply the real want of abilities; but when an individual had been selected by the people as the fittest person for discharging the duties of this high department, to fetter him with a council was either to lessen his capacity of doing good, or to furnish him with a screen for doing evil. It destroyed the secrecy, vigour, and despatch, which the executive power ought to possess; and by making government acts the acts of a body, diminished individual responsibility. In some states it greatly enhanced the expenses of government, and in all, retarded its operations without any equivalent advantages.

New-York, in another particular, displayed political sagacity superior to her neighbours. This was in her council of appointment, consisting of one senator from each of her four great election districts, authorised to designate proper persons for filling vacancies in the executive departments of government. Large bodies are far from being the most proper depositaries of the power of appointing to offices. The assiduous attention of candidates is too apt to bias the voice of individuals in popular assemblies. Besides, in such appointments, the responsibility for the conduct of the officer is in a great measure annihilated. The concurrence of a select few on the nomination of one, seems a more eligible mode for securing a proper choice, than appointments made either by one, or by a numerous body. In the former case there would be danger of favouritism; in the latter, a modest unassuming merit would be overlooked, in favour of the forward and obsequious.

A rotation of public officers made a part of most of the American constitutions. Frequent elections were required by all, but several proceeded still farther, and deprived the electors of the power of continuing the same office in the same hands, after a specified length of time. Young politicians suddenly called from the ordinary walks of life, to make laws and institute forms of government,

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turned their attention to the histories of ancient republics, and the writings of speculative men on the subject of government. This led them into many errors, and occasioned them to adopt opinions, unsuitable to the state of society in America, and contrary to the genius of real republicanism.

The principle of rotation was carried so far, that in some of the states, public officers in several departments scarcely knew their official duty, till they were obliged to retire and give place to others, as ignorant as they had been on their first appointment. If offices had been instituted for the benefit of the holders, the policy of diffusing these benefits would have been proper; but instituted as they were for the convenience of the public, the end was marred by such frequent changes. By confining the objects of choice, it diminished the privileges of electors, and frequently deprived them of the liberty of chusing the man who, from previous experience, was of all men the most suitable. The favourers of this system of rotation contended for it, as likely to prevent a perpetuity of office and power in the same individual or family, and as a security against hereditary honours. To this it was replied, that free, fair, and frequent elections were the most natural and proper securities for the liberties of the people. It produced a more general diffusion of political knowledge, but made more smatterers than adepts in the science of government.

As a farther security for the continuance of republican principles in the American constitution, they agreed in prohibiting all hereditary honours and distinction of ranks.

It is not easy to define the power of the state legislatures, so as to prevent a clashing between their jurisdiction and that of the general government. On mature deliberation it was thought proper, that the former should be abridged of the power of forming any other confederation or alliance—of laying on any imposts or duties that might interfere with treaties made by congress—or keeping up any vessels of war, or granting letters of marque or reprisals. The powers of congress were also defined.

Of these the principal were as follows : To have the sole and exclusive right of determining on peace and war—of sending and receiving ambassadors—of entering into treaties and alliances—of granting letters of marque and reprisals in time of war—to be the last resort on appeal in all disputes between two or more states—to have the sole and exclusive right of regulating the alloy and value of coin—of fixing the standard of weights and measures—regulating the trade and managing all affairs with the Indians—establishing and regulating post-offices—to borrow money or emit bills on the credit of the United States—to build and equip a navy—to agree upon the number of land forces, and to make requisitions from each state for its quota of men, in proportion to the number of its white inhabitants.

On the fourth day after the arrival of the British off Sandy Hook congress ratified the declaration of independence; it was published at the head of the American army, and though they were eye-witnesses of the immense force which was preparing to act against them, both officers and privates gave every evidence of their hearty approbation of the decree which severed the colonies from Great Britain, and submitted to the decision of the sword, whether they should be free states or conquered provinces.

It had early occurred to general Washington, that the possession of New-York would be with the British a favourite object. Its central situation and contiguity to the ocean enabled them to carry with facility the war to any part of the sea-coast. The possession of it was rendered still more valuable by the ease with which it could be maintained. Surrounded on all sides by water, it was defensible by a small number of British ships, against adversaries whose whole navy consisted only of a few frigates. Hudson's river being navigable for ships of the largest size to a great distance, afforded an opportunity of severing the eastern from the more southern states, and of preventing almost any communication between them,

From these well-known advantages, it was presumed by the Americans, that the British would make great exertions

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exertions to effect the reduction of New-York. General Lee, while the British were yet in possession of the capital of Massachusetts, had been detached from Cambridge, to put Long Island and New-York into a posture of defence. As the departure of the British from Boston became more certain, the probability of their instantly going to New-York increased the necessity of collecting a force for its safety. It had been therefore agreed in a council of war, that five regiments, together with a rifle battalion, should march without delay to New-York, and that the states of New-York and New-Jersey should be requested to furnish the former two thousand, and the latter one thousand men for its immediate defence. General Washington soon followed, and early in April fixed his head quarters in that city. A new distribution of the American army took place: Part was left in Massachusetts, between two and three thousand were ordered to Canada, but the greater part rendezvoused at New-York.

Experience had taught the Americans the difficulty of attacking an army after it had effected a lodgment. They therefore made strenuous exertions to prevent the British from enjoying the advantages in New-York, which had resulted from their having been permitted to land and fortify themselves in Boston. The sudden commencement of hostilities in Massachusetts, together with the previous undisturbed landing of the royal army, allowed no time for deliberating on a system of war. A change of circumstances indicated the propriety of fixing on a plan for conducting the defence of the new-formed states. On this occasion general Washington, after much thought, determined on a war of posts. This mode of conducting military operations gave confidence to the Americans, and besides, it both retarded and alarmed their adversaries. The soldiers in the American army were new levies, and had not yet learned to stand uncovered before the instruments of death; habituating them to the sound of fire-arms, while they were sheltered from danger, was one step towards inspiring them with a portion of mechanical courage. The British remembered

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Bunker's Hill, and had no small reverence for even slight fortifications, when defended by freemen. From views of this kind, works were erected in and about New-York, on Long Island, and the heights of Haerlem. These, besides batteries, were field redoubts, formed of earth, with a parapet and ditch. The former were sometimes raised, and the latter palisadoed, but they were in no instance formed to sustain a siege. Slight as they were, the campaign was nearly wasted away before they were so far reduced, as to permit the royal army to penetrate into the country.

The war having taken a more important turn than in the preceding year had been foreseen, congress, at the opening of the campaign, found themselves destitute of a force sufficient for their defence. They therefore in June determined on a plan to reinforce their continental army, by bringing into the field a new species of troops, that would be more permanent than the common militia, and yet more easily raised than regulars. With this view they instituted a flying camp, to consist of an intermediate corps, between regular soldiers and militia. Ten thousand men were called for from the states of Pennsylvania, Maryland, and Delaware, to be in constant service to the first day of the ensuing December. Congress at the same time called for 13,800 of the common militia from Massachusetts, Connecticut, New-York, and New-Jersey. The men for forming the flying camp were generally procured, but there were great deficiencies of the militia, and many of those who obeyed their country's call, manifested a reluctance to submit to the necessary discipline of camps.

The difficulty of providing the troops with arms while before Boston, was exceeded by the superior difficulty of supplying them in their new position. By the returns of the garrison at Fort Montgomery, in the highlands, in April, it appeared that there were 208 privates, and only 41 muskets fit for use. In the garrison at Fort Constitution there were 136 men, and only 68 muskets fit for use. Flints were also much wanted. Lead would have

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have been equally deficient, had not a supply for the musquetry been obtained by stripping dwelling-houses.

The uncertainty of the place where the British would commence their operations added much to the embarrassment of general Washington. Not only each colony, but each sea-port town, supposed itself to be the object of the British, and was ardent in its supplications to the commander in chief for his peculiar attention. The people of Massachusetts were strongly impressed with an idea, that the evacuation of Boston was only a feint, and that the British army would soon return. They were for that reason very desirous, that the continental troops should not be withdrawn from their state. The inhabitants of Rhode Island urged, in a long petition, that their maritime situation exposed them to uncommon danger, while their great exertions in fitting out armed vessels had deprived them of many of their citizens: They therefore prayed for a body of continental soldiers to be stationed for their constant and peculiar defence. So various were the applications for troops, so numerous the calls for arms, that a decided conduct became necessary to prevent the feeble American force, and the deficient stock of public arms, from being divided and subdivided, so as to be unequal to the proper defence of any one place.

In this crisis of particular danger, the people of New-York acted with spirit. Though they knew they were to receive the first impression of the British army, yet their convention resolved, "that all persons residing within the state of New-York, and claiming protection from its laws, owed it allegiance, and that any person owing it allegiance, and levying war against the state, or being an adherent to the king of Great Britain, should be deemed guilty of treason, and suffer death." They also resolved that one fourth of the militia of West Chester, Dutchess, and Orange counties, should be forthwith drawn out for the defence of the liberties, property, wives, and children, of the good people of the state, to be continued in service till the last day of December, and "that as the inhabitants of King's County had determined not to oppose the enemy, a committee should be appointed to

inquire into the authenticity of these reports, and to disarm and secure the disaffected; to remove or destroy the stock of grain, and, if necessary, to lay the whole country waste."

The two royal commissioners, admiral and general Howe, thought proper, before they commenced their military operations, to try what might be done in their civil capacity, towards effecting a reunion between Great Britain and the colonies. It was one of the first acts of lord Howe, to send on shore a circular letter to several of the royal governors in America, informing them of the late act of parliament, "for restoring peace to the colonies, and granting pardon to such as should deserve mercy," and desiring them to publish a declaration which accompanied the same. In this he informed the colonists of the powers with which his brother and he were entrusted, "of granting general or particular pardons to all those who, though they had deviated from their allegiance, were willing to return to their duty," and of declaring "any colony, province, county, or town, port, district, or place, to be at the peace of his majesty." Congress, impressed with a belief, that the proposals of the commissioners, instead of disuniting the people, would have a contrary effect, ordered them to be speedily published in the several American newspapers. Had a redress of grievances been at this late hour offered, though the honour of the states was involved in supporting their late declaration of independence, yet the love of peace, and the bias of great numbers to their parent state, would in all probability have made a powerful party for rescinding the act of separation, and for reuniting with Great Britain. But when it appeared that the power of the royal commissioners was little more than to grant pardons, congress appealed to the good sense of the people for the necessity of adhering to the act of independence. The resolution for publishing the circular letter, and the declaration of the royal commissioners, assigned a reason thereof to be, "that the good people of the United States may be informed of what nature are the commissioners, and what the terms, with expectation of which the insidious court

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of Great Britain had endeavoured to amuse and disarm them, and that the few who still remain suspended by a hope, founded either in the justice or moderation of their late king, may now at length be convinced that the valour alone of their country is to save its liberties."

About the same time flags were sent ashore by lord Howe with a letter directed to George Washington, Esq. which he refused to receive, as not being addressed to him with the title due to his rank. In his letter to congress on this subject he wrote as follows: "I would not on any occasion sacrifice essentials to punctilio; but in this instance I deemed it a duty to my country and appointment, to insist on that respect, which in any other than a public view I would willingly have waved." Congress applauded his conduct in a public resolution, and at the same time directed, that no letter or message should be received on any occasion whatever, from the enemy, by the commander in chief, or others the commanders of the American army, but such as were directed to them in the characters they severally sustained.

Some time after adjutant-general Patterson was sent to New-York by general Howe, with a letter addressed to general Washington, &c. &c. &c. On an interview the adjutant-general, after expressing his high esteem for the person and character of the American general, and declaring, that it was not intended to derogate from the respect due to his rank, expressed his hopes that the *et ceteras* would remove the impediments to their correspondence. General Washington replied, "That a letter directed to any person in a public character should have some description of it, otherwise it would appear a mere private letter; that it was true the *et ceteras* implied every thing, but they also implied any thing; and that he should therefore decline the receiving of any letter directed to him as a private person, when it related to his public station." A long conference ensued, in which the adjutant-general observed, "that the commissioners were armed with great powers, and would be very happy in effecting an accommodation." He received for answer, "that from what appeared, their powers were only to

grant pardon; that they who had committed no fault wanted no pardon." Soon after this interview, a letter from Howe, respecting prisoners, which was properly addressed to Washington, was received.

While the British, by their manifestoes and declarations, were endeavouring to separate those who preferred a reconciliation with Great Britain from those who were the friends of independence, congress, by a similar policy, was attempting to detach the foreigners, who had come with the royal troops, from the service of his Britannic majesty. Before hostilities had commenced, the following resolution was adopted and circulated among those on whom it was intended to operate: "Resolved, that these states will receive all such foreigners who shall leave the armies of his Britannic majesty in America, and shall chuse to become members of any of these states, and they shall be protected in the free exercise of their respective religions, and be invested with the rights, privileges, and immunities of natives, as established by the laws of these states; and moreover, that this congress will provide for every such person fifty acres of unappropriated lands in some of these states, to be held by him and his heirs as absolute property."

The numbers which were prepared to oppose the British, when they should disembark, made them for some time cautious of proceeding to their projected land operations; but the superiority of their navy enabled them to go by water whithersoever they pleased.

On the 12th of July, a British forty-gun ship, with some smaller vessels, sailed up North River, without receiving any damage of consequence, though fired upon from the batteries of New-York, Paule's Hook, Red Bank, and Governor's Island. An attempt was made, not long after, with two fire-ships, to destroy the British vessels in the North River, but without effecting any thing more than the burning of a tender. They were also attacked with row-gallies, but to little purpose. After some time the Phoenix and Rose men of war came down the river, and joined the fleet. Every effort of the Americans from their batteries on land, as well as their exertions

ertions on the water, proved ineffectual. The British ships passed with less loss than was generally expected; but nevertheless the damage they received was such as deterred them from frequently repeating the experiment. In two or three instances they ascended the North River, and in one or two the East River, but those which failed up the former speedily returned, and by their return a free communication was opened through the upper part of the state.

The American army in and near New-York amounted to 17,225 men. These were mostly new troops, and were divided in many small and unconnected posts, some of which were fifteen miles removed from others. The British force about New-York was increasing by frequent successive arrivals from Halifax, South-Carolina, Florida, the West Indies, and Europe. But so many unforeseen delays had taken place, that the month of August was far advanced before they were in a condition to open the campaign.

When all things were ready, the British commanders resolved to make their first attempt upon Long Island. This was preferred to New-York, as it abounded with those supplies which their forces required.

The British landed, without opposition, between two small towns, Utrecht and Gravesend. The American works protected a small peninsula, having Wallabout Bay to the left, and stretching over to Red Hook on the right, the East River being in their rear. General Sullivan, with a strong force, was encamped within these works at Brooklyne. From the east side of the narrows runs a ridge of hills covered with thick wood, about five or six miles in length, which terminates near Jamaica. There were three passes through these hills, one near the narrows, a second on the Flatbush road, and a third on the Bedford road, and they are all defensible. These were the only roads which could be passed from the south side of the hills to the American lines, except a road which led round the easterly end of the hills to Jamaica. The Americans had 800 men on each of these roads, and colonel Miles was placed with his battalion of riflemen,

to guard the road from the south of the hills to Jamaica, and to watch the motions of the British.

General de Heister, with his Hessians, took post at Flatbush in the evening of the 26th of August. In the following night the greater part of the British army, commanded by general Clinton, marched to gain the road leading round the easterly end of the hills to Jamaica, and to turn the left of the Americans. He arrived about two hours before day within half a mile of this road. One of his parties fell in with a patrol of American officers, and took them all prisoners, which prevented the early transmission of intelligence. Upon the first appearance of day, general Clinton advanced, and took possession of the heights over which the road passed. General Grant, with the left wing, advanced along the coast by the west road, near the narrows; but this was intended chiefly as a feint.

The guard which was stationed at this road fled without making any resistance. A few of them were afterwards rallied, and lord Stirling advanced with 1500 men, and took possession of a hill about two miles from the American camp, and in front of general Grant.

An attack was made very early in the morning of the 27th of August, by the Hessians from Flatbush, under general de Heister, and by general Grant on the coast, and was well supported for a considerable time by both sides. The Americans who opposed general de Heister were first informed of the approach of general Clinton, who had come round on their left. They immediately began to retreat to their camp, but were intercepted by the right wing under general Clinton, who got into the rear of their left, and attacked them with his light-infantry and dragoons while returning to their lines. They were driven back till they were met by the Hessians. They were thus alternately chased and intercepted, between general de Heister and general Clinton. Some of their regiments nevertheless found their way to the camp. The Americans under lord Stirling, consisting of colonel Miles's two battalions, colonel Atlee's, colonel Smallwood's, and colonel Hatche's regiments, who were engaged

gaged with general Grant, fought with great resolution for about six hours. They were un'informed of the movements made by general Clinton, till some of the troops under his command had traversed the whole extent of country in their rear. Their retreat was thus intercepted; but several, notwithstanding, broke through, and got into the woods; many threw themselves into the marsh, some were drowned, and others perished in the mud, but a considerable number escaped by this way to their lines.

The king's troops displayed great valour throughout the whole day. The variety of the ground occasioned a succession of small engagements, pursuits, and slaughter, which lasted for many hours. British discipline in every instance triumphed over the native valour of raw troops, who had never been in action, and whose officers were unacquainted with the stratagems of war.

The loss of the British and Hessians was about 450. The killed, wounded, and prisoners, of the Americans, including those who were drowned or perished in the woods or mud, considerably exceeded a thousand. Among the prisoners of the latter were two of their general officers, Sullivan and lord Stirling; three colonels, four lieutenant-colonels, three majors, 18 captains, 43 lieutenants, and 11 ensigns. Smallwood's regiment, the officers of which were young men of the best families in the state of Maryland, sustained a loss of 259 men. The British after their victory were so impetuous, that it was with difficulty they could be restrained from attacking the American lines.

In the time of the engagement, and subsequent to it, general Washington drew over to Long Island the greatest part of his army. After he had collected his principal force there, it was his wish and hope that sir William Howe would attempt to storm the works on the island. These, though insufficient to stand a regular siege, were strong enough to resist a coup-de-main. The remembrance of Bunker's Hill, and a desire to spare his men, restrained the British general from making an assault. On the contrary, he made demonstrations of proceeding by siege, and broke ground within three

hundred yards to the left at Putnam's redoubt. Though general Washington wished for an assault, yet being certain that his works would be untenable when the British batteries should be fully opened, on the 30th of August he called a council of war, to consult on the measures proper to be taken. It was then determined that the objects in view were in no degree proportioned to the dangers to which, by a continuance on the island, they would be exposed. Conformably to this opinion, dispositions were made for an immediate retreat. This commenced soon after it was dark from two points, the upper and lower ferries on East River. General M'Dougal regulated the embarkation at one, and colonel Knox at the other. The intention of evacuating the island had been so prudently concealed from the Americans, that they knew not whither they were going, but supposed to attack the enemy. The field artillery, tents, baggage, and about 9000 men, were conveyed to the city of New-York over East River, more than a mile wide, in less than 13 hours, and without the knowledge of the British, though not six hundred yards distant. Providence in a remarkable manner favoured the retreating army. For some time after the Americans began to cross, the state of the tide and a strong north-east wind made it impossible for them to make use of their sail-boats, and their whole number of row-boats was insufficient for completing the business in the course of the night. But about eleven o'clock the wind died away, and soon after sprung up at south-east, and blew fresh, which rendered the sail-boats of use, and at the same time made the passage from the island to the city, direct, easy, and expeditious. Towards morning an extreme thick fog came up, which hovered over Long Island, and by concealing the Americans, enabled them to complete their retreat without interruption, though the day had begun to dawn some time before it was finished. By a mistake in the transmission of orders, the American lines were evacuated for about three quarters of an hour before the last embarkation took place; but the British, though so near, that their working parties could be distinctly heard, being enveloped in the fog,

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knew nothing of the matter. The lines were repossessed and held till six o'clock in the morning, when every thing except some heavy cannon was removed. General Mifflin, who commanded the rear-guard, left the lines, and under the cover of the fog got off safe. In about half an hour the fog cleared away, and the British entered the works which had been just relinquished. Had the wind not shifted, the half of the American army could not have crossed, and even as it was, if the fog had not concealed their rear, it must have been discovered, and could hardly have escaped. General Sullivan, who was taken prisoner on Long Island, was immediately sent on parole, with the following verbal message from lord Howe to congress, "That though he could not at present treat with them in that character, yet he was very desirous of having a conference with some of the members, whom he would consider as private gentlemen; that he, with his brother the general, had full power to compromise the dispute between Great Britain and America, upon terms advantageous to both—that he wished a compact might be settled at a time when no decisive blow was struck, and neither party could say it was compelled to enter into such agreement—that were they disposed to treat, many things which they had not yet asked, might and ought to be granted; and that if upon conference they found any probable ground of accommodation, the authority of congress would be afterwards acknowledged, to render the treaty complete." Three days after this message was received, general Sullivan was requested to inform lord Howe, "That congress being the representatives of the free and independent States of America, they cannot with propriety send any of their members to confer with his lordship in their private characters; but that, ever desirous of establishing peace on reasonable terms, they will send a committee of their body, to know whether he has any authority to treat with persons authorised by congress for that purpose, on behalf of America, and what that authority is; and to hear such propositions as he shall think fit to make respecting the same." They elected Dr. Franklin, John Adams, and Edward Rutledge,

Rutledge, their committee for this purpose. In a few days they met lord Howe on Staten Island, and were received with great politeness. On their return they made a report of their conference, which they summed up by saying, "It did not appear to your committee that his lordship's commission contained any other authority than that expressed in the act of parliament; namely, that of granting pardons, with such exceptions as the commissioners shall think proper to make, and of declaring America, or any part of it, to be in the king's peace on submission: For as to the power of inquiring into the state of America, which his lordship mentioned to us, and of conferring and consulting with any persons the commissioners might think proper, and representing the result of such conversation to the ministry, who, provided the colonies would subject themselves, might after all, or might not, at their pleasure, make any alterations in the former instructions to governors, or propose in parliament any amendment of the acts complained of; we apprehend any expectation from the effect of such a power would have been too uncertain and precarious to be relied on by America, had she still continued in her state of dependance." Lord Howe had ended the conference on his part, by expressing his regard for America, and the extreme pain he would suffer in being obliged to distress those whom he so much regarded. Dr. Franklin thanked him for his regards, and assured him, "that the Americans would show their gratitude, by endeavouring to lessen as much as possible all pain he might feel on their account, by exerting their utmost abilities in taking good care of themselves."

The committee in every respect maintained the dignity of congress. Their conduct and sentiments were such as became their character. The friends to independence rejoiced that nothing resulted from this interview that might disunite the people. Congress, trusting to the good sense of their countrymen, ordered the whole to be printed for their information. All the states would have then rejoiced at less beneficial terms than they obtained about seven years after. But Great Britain counted on the

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the certainty of their absolute conquest, or unconditional submission. Her offers therefore comported so little with the feelings of America, that they neither caused demur nor disunion among the new-formed states.

The unsuccessful termination of the action on the 27th led to consequences more seriously alarming to the Americans than the loss of their men. The army was universally dispirited. The militia ran off by companies. Their example infected the regular regiments. The loose footing on which the militia came to camp, made it hazardous to exercise over them that discipline, without which an army is a mob. To restrain one part of an army while another claimed and exercised the right of doing as they pleased, was no less impracticable than absurd.

A council of war recommended to act on the defensive, and not to risque the army for the sake of New-York. To retreat, subjected the commander in chief to reflections painful to bear, and yet impolitic to refute; To stand his ground, and, by suffering himself to be surrounded, to hazard the fate of America on one decisive engagement, was contrary to every rational plan of defending the wide-extended states committed to his care. A middle line between abandoning and defending was therefore for a short time adopted. The public stores were moved to Dobb's Ferry, about 26 miles from New-York; 12,000 men were ordered to the northern extremity of New-York Island, and 4500 to remain for the defence of the city, while the remainder occupied the intermediate space, with orders either to support the city or Kingsbridge, as exigencies might require. Before the British landed, it was impossible to tell what place would be first attacked: This made it necessary to erect works for the defence of a variety of places as well as of New-York. Though every thing was abandoned when the crisis came that either the city must be relinquished, or the army risked for its defence, yet from the delays occasioned by the redoubts and other works which had been erected on the idea of making the defence of the states a war of posts, a whole campaign was lost to the British, and saved to the Ame-

Rutledge, their committee for this purpose. In a few days they met lord Howe on Staten Island, and were received with great politeness. On their return they made a report of their conference, which they summed up by saying, "It did not appear to your committee that his lordship's commission contained any other authority than that expressed in the act of parliament; namely, that of granting pardons, with such exceptions as the commissioners shall think proper to make, and of declaring America, or any part of it, to be in the king's peace on submission: For as to the power of inquiring into the state of America, which his lordship mentioned to us, and of conferring and consulting with any persons the commissioners might think proper, and representing the result of such conversation to the ministry, who, provided the colonies would subject themselves, might after all, or might not, at their pleasure, make any alterations in the former instructions to governors, or propose in parliament any amendment of the acts complained of; we apprehend any expectation from the effect of such a power would have been too uncertain and precarious to be relied on by America, had she still continued in her state of dependance." Lord Howe had ended the conference on his part, by expressing his regard for America, and the extreme pain he would suffer in being obliged to distress those whom he so much regarded. Dr. Franklin thanked him for his regards, and assured him, "that the Americans would show their gratitude, by endeavouring to lessen as much as possible all pain he might feel on their account, by exerting their utmost abilities in taking good care of themselves."

The committee in every respect maintained the dignity of congress. Their conduct and sentiments were such as became their character. The friends to independence rejoiced that nothing resulted from this interview that might disunite the people. Congress, trusting to the good sense of their countrymen, ordered the whole to be printed for their information. All the states would have then rejoiced at less beneficial terms than they obtained about seven years after. But Great Britain counted on

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the certainty of their absolute conquest, or unconditional submission. Her offers therefore comported so little with the feelings of America, that they neither caused demur nor disunion among the new-formed states.

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Americans. The year began with hopes that Great Britain would recede from her demands, and therefore every plan of defence was on a temporary system. The declaration of independence, which the violence of Great Britain forced the colonies to adopt in July, though neither foreseen nor intended at the commencement of the year, pointed out the necessity of organizing an army on new terms, correspondent to the enlarged objects for which they had resolved to contend. Congress accordingly, on the 16th of September, determined to raise 88 battalions, to serve during the war. Under these circumstances, to wear away the campaign with as little misfortune as possible, and thereby to gain time for raising a permanent army against the next year, was to the Americans a matter of the last importance. Though the commander in chief abandoned those works, which had engrossed much time and attention, yet the advantage resulting from the delays they occasioned, far overbalanced the expense incurred by their erection.

General Howe having prepared every thing for a descent on New-York Island, began, on September 15, to land his men under cover of ships of war, between Kepps' Bay and Turtle Bay. A breastwork had been erected in the vicinity, and a party stationed in it to oppose the British, in case of their attempting to land; but on the first appearance of danger they ran off in confusion. The commander in chief came up, and in vain attempted to rally them. Though the British in fight did not exceed sixty, he could not, either by example, entreaty, or authority, prevail on a superior force to stand their ground, and face that inconsiderable number. Such dastardly conduct raised a tempest in the usually tranquil mind of general Washington. Having embarked in the American cause from the purest principles, he viewed with infinite concern this shameful behaviour, as threatening ruin to his country. He recollected the many declarations of congress, of the army, and of the inhabitants, preferring liberty to life, and death to dishonour, and contrasted them with their present scandalous flight. Extensive confiscations and numerous attainders presented themselves

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themselves in full view to his agitated mind. He saw, in imagination, new formed states, with the means of defence in their hands, and the glorious prospects of liberty before them, levelled to the dust, and such constitutions imposed on them as were likely to crush the vigour of the human mind, while the unsuccessful issue of the present struggle would, for ages to come, deter posterity from the bold design of asserting their rights. Impressed with these ideas, he hazarded his person for some considerable time in the rear of his own men and in front of the enemy, with his horse's head towards the latter, as if in expectation that by an honourable death he might escape the infamy he dreaded from the dastardly conduct of troops on whom he could place no dependance. His aids and the confidential friends around his person, by indirect violence compelled him to retire.

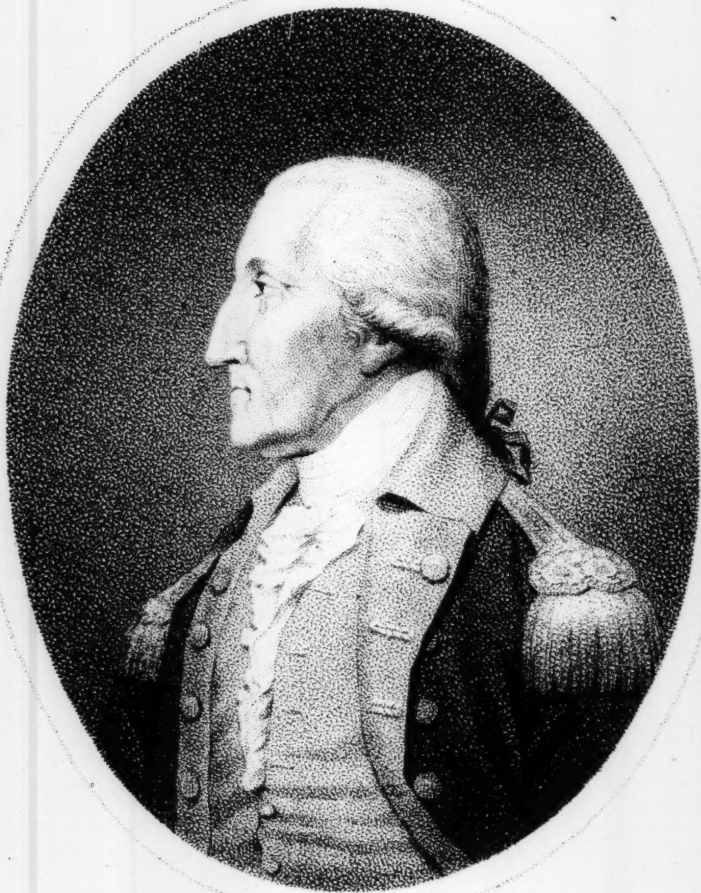
On the day after this shameful flight of part of the American army, a skirmish took place between two battalions of light-infantry and highlanders, commanded by brigadier Leslie, and some detachments from the American army, under the command of lieutenant-colonel Knowlton of Connecticut, and major Leitch of Virginia. The colonel was killed, and the major badly wounded. Their men behaved with great bravery, and fairly beat their adversaries from the field. Most of these were the same men who had disgraced themselves the day before, by running away: Struck with a sense of shame for their late misbehaviour, they had offered themselves as volunteers, and requested the commander in chief to give them an opportunity to retrieve their honour. Their good conduct at this second engagement proved an antidote to the ill effects of their example on the preceding day. It demonstrated that the Americans only wanted resolution and good officers to be on a footing with the British, and inspired them with hopes that a little more experience would enable them to assume, not only the name and garb, but the spirit and firmness, of soldiers.

The Americans having evacuated the city of New-York, a brigade of the British army marched into it. They had been a few days in possession when a dreadful
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fire, most probably occasioned by the disorderly conduct of some British sailors, who had been permitted to regale themselves on shore, broke out, and consumed about a thousand houses. Dry weather and a brisk wind spread the flames to such an extent, that had it not been for the great exertions of the troops and sailors, the whole city must have shared the same fate. After the Americans had evacuated New-York, they retired to the north end of the island on which the city is erected. In about four weeks general Howe began to execute a plan for cutting off general Washington's communication with the eastern states, and enclosing him so as to compel a general engagement on the island. With this view, the greater part of the royal army passed through Hellgate, entered the sound, and on the 12th of October landed on Frog's Neck, in West-Chester county. Two days after they made this movement, general Lee arrived from his late successful command to the southward. He found that there was a prevailing disposition among the officers in the American army for remaining on New-York Island. On October the 16th, a council of war was called, in which general Lee gave such convincing reasons for quitting it, that they resolved immediately to withdraw the bulk of the army. He also pressed the expediency of evacuating Fort Washington; but in this he was opposed by general Greene, who argued that the possession of that post would divert a large body of the enemy from joining their main force, and, in conjunction with Fort Lee, would be of great use in covering the transportation of provisions and stores up the North River, for the service of the American troops. He added farther, that the garrison could be brought off at any time by boats from the Jersey side of the river. His opinion prevailed; though the system of evacuating and retreating was in general adopted, an exception was made in favour of Fort Washington, and near 3000 men were assigned for its defence.

The royal army, after a halt of six days at Frog's Neck, advanced on the 18th of October near to New-Rochelle. On their march they sustained a considerable loss by a party of Americans, whom general Lee posted behind





GENERAL WASHINGTON

behind a wall. After three days, general Howe moved the right and centre of his army two miles to the northward of New-Rochelle, on the road to the White Plains, and there he received a large reinforcement.

General Washington, while retreating from New-York Island, was careful to make a front towards the British, from East-Chester almost to White Plains, in order to secure the march of those who were behind, and to defend the removal of the sick, the cannon, and stores of his army. In this manner his troops made a line of small detached and entrenched camps on the several heights and strong grounds, from Valentine's Hill on the right, to the vicinity of the White Plains on the left.

On the 25th of October the royal army moved in two columns, and took a position with the Bronx in front, upon which the Americans assembled their main force at White Plains, behind entrenchments. A general action was hourly expected, and a considerable one took place, in which several hundreds fell. The Americans were commanded by general M'Dougal, and the British by general Leslie. While they were engaged the American baggage was moved off, in full view of the British army. Soon after this, general Washington changed his front, his left wing stood fast, and his right fell back to some hills. In this position, which was an admirable one in a military point of view, he both desired and expected an action; but general Howe declined it, and drew off his forces towards Dobb's Ferry. The Americans afterwards retired to North-Castle.

General Washington, with part of his army, crossed the North River, and took post in the neighbourhood of Fort Lee. A force of about 7500 men was left at North-Castle, under general Lee.

The Americans having retired, on the 12th of November sir William Howe determined to improve the opportunity of their absence, for the reduction of Fort Washington. This, the only post the Americans then held on New-York Island, was under the command of colonel Magaw. The royal army made four attacks upon it. The first, on the north side, was led on

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by general Kniphausen; the second, on the east, by general Matthews, supported by lord Cornwallis. The third was under the direction of lieutenant-colonel Sterling, and the fourth was commanded by lord Percy. The troops under Kniphausen, when advancing to the fort, had to pass through a thick wood, which was occupied by colonel Rawling's regiment of riflemen, and suffered very much from their well-directed fire. During this attack, a body of the British light-infantry advanced against a party of the Americans, who were annoying them from behind rocks and trees, and obliged them to disperse. Lord Percy carried an advance work on his side, and lieutenant-colonel Sterling forced his way up a steep height, and took 170 prisoners. Their out-works being carried, the Americans left their lines, and crowded into the fort. Colonel Rahl, who led the right column of Kniphausen's attack, pushed forward, and lodged his column within an hundred yards of the fort, and was there soon joined by the left column. The garrison surrendered on terms of capitulation, by which the men were to be considered as prisoners of war, and the officers to keep their baggage and side-arms. The number of prisoners amounted to 2700. The loss of the British, inclusive of killed and wounded, was about 1200. Shortly after Fort Washington had surrendered, lord Cornwallis* with a considerable force passed over to attack Fort Lee, on the opposite Jersey shore.

The garrison was saved by an immediate evacuation, but at the expense of their artillery and stores. General Washington about this time retreated to New-Ark. Having abundant reason, from the posture of affairs, to count on the necessity of a farther retreat, he asked colonel Reed—"Should we retreat to the back parts of Pennsylvania, will the Pennsylvanians support us?" The colonel replied, "If the lower countries are subdued and give up, the back countries will do the same." The general replied, "We must retire to Augusta county in Virginia; numbers will be obliged to repair to us for safety,

* November 18.

and we must try what we can do in carrying on a predatory war, and if overpowered, we must cross the Allegany mountains."

While a tide of success was flowing in upon general Howe, he and his brother, as royal commissioners, issued a proclamation, in which they commanded "all persons assembled in arms against his majesty's government to disband, and all general or provincial congresses to desist from their treasonable actings, and to relinquish their usurped power." They also declared, "that every person who, within sixty days, should appear before the governor, lieutenant-governor, or commander in chief of any of his majesty's colonies, or before the general or commanding officer of his majesty's forces, and claim the benefit of the proclamation, and testify his obedience to the laws, by subscribing a certain declaration, should obtain a full and free pardon of all treasons by him committed, and of all forfeitures and penalties for the same." Many who had been in office, and taken an active part in support of the new government, accepted of these offers, and made their peace by submission. Some who had been the most vehement in favour of independence, veered round to the strongest side. Men of fortune generally gave way; the few who stood firm, were mostly to be found in the middle ranks of the people.

The term for which the American soldiers had engaged to serve, ended in November or December, with no other exception than that of two companies of artillery belonging to the state of New-York, which were engaged for the war. The army had been organized at the close of the preceding year, on the fallacious idea, that an accommodation would take place within a twelvemonth. Even the flying camp, though instituted after the prospect of that event had vanished, was enlisted only till the first of December, from a presumption that the campaign would terminate by that time.

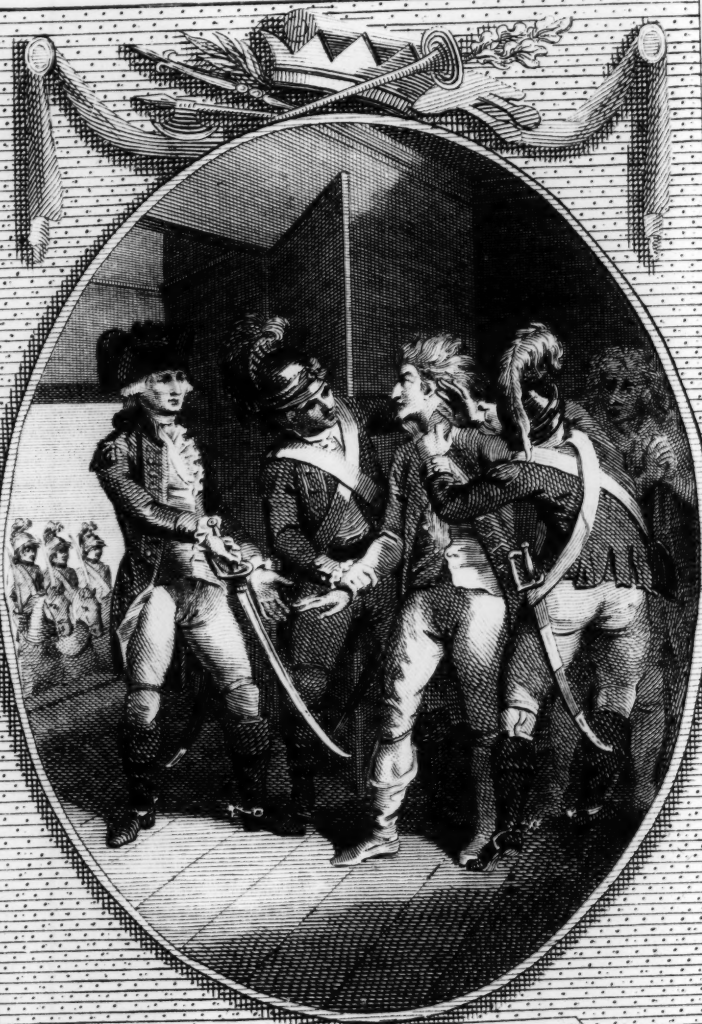
When it was expected that the conquerors would retire to winter-quarters, they commenced a new plan of operations, more alarming than all their previous conquests. The reduction of Fort Washington, the evacua-

tion of Fort Lee, and the diminution of the American army, by the departure of those whose time of service had expired, encouraged the British, notwithstanding the severity of the winter and the badness of the roads, to pursue the remaining inconsiderable continental force, with the prospect of annihilating it. By this turn of affairs, the interior country was surprised into confusion, and found an enemy within its bowels, without a sufficient army to oppose it. To retreat was the only expedient left. This having commenced, lord Cornwallis followed, and was close in the rear of general Washington as he retreated successively to New-Ark, to Brunswick, to Princeton, to Trenton, and to the Pennsylvania side of the Delaware. The pursuit was urged with so much rapidity, that the rear of the one army pulling down bridges was often within sight and shot of the van of the other building them up.

This retreat into and through New-Jersey was attended with almost every circumstance that could occasion embarrassment and depression of spirits. It commenced in a few days after the Americans had lost 2700 men in Fort Washington. In fourteen days after that event, the whole flying camp claimed their discharge. This was followed by the almost daily departure of others, whose engagements terminated nearly about the same time. A farther disappointment happened to general Washington at this time: Gates had been ordered by congress to send two regiments from Ticonderoga, to reinforce his army. Two Jersey regiments were put under the command of general St. Clair, and forwarded in obedience to this order; but the period for which they were enlisted, was expired, and the moment they entered their own state, they went off to a man. A few officers, without a single private, were all that general St. Clair brought of these two regiments, to the aid of the retreating American army. The few who remained with general Washington were in a most forlorn condition; they consisted mostly of the troops which had garrisoned Fort Lee, and had been compelled to abandon that post so suddenly, that they commenced their retreat without tents



BARLOW'S CONTINUATION TO HUME'S ENGLAND.



General Lee, taken prisoner
by Colonel Harcourt.

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or blankets, and without any utensils to dress their provisions. In this situation they performed a march of about ninety miles, and had the address to prolong it to the space of nineteen days. As the retreating Americans marched through the country, scarcely one of the inhabitants joined them, while numbers were daily flocking to the royal army, to make their peace and obtain protection. They saw on the one side a numerous well-appointed and full-clad army, dazzling their eyes with the elegance of uniformity; on the other a few poor fellows, who, from their miserable clothing, were called ragamuffins, fleeing for their safety. Not only the common people changed sides in this gloomy state of public affairs, but some of the leading men in New-Jersey and Pennsylvania adopted the same expedient. Among these Mr. Gallo-way, and the family of the Allens of Philadelphia, were most distinguished. The former, and one of the latter, had been members of congress. In this hour of adversity they came within the British lines, and surrendered themselves to the conquerors, alleging, in justification of their conduct, that though they had joined with their countrymen in seeking for a redress of grievances in a constitutional way, they had never approved of the measures lately adopted, and were in particular, at all times, averse to independence.

On the day general Washington retreated over the Delaware, the British took possession of Rhode Island without any loss, and at the same time blocked up commodore Hopkins's squadron, and a number of privateers, at Providence.

In this period, when the American army was relinquishing its general, the people giving up the cause, some of their leaders going over to the enemy, and the British commanders succeeding in every enterprise, general Lee was taken prisoner at Baskenridge, by lieutenant-colonel Harcourt. This caused a depression of spirits among the Americans, far exceeding any real injury done to their essential interests. He had been repeatedly ordered to come forward with his division, and join general Washington; but these orders were not obeyed. This circum-

stance, and the dangerous crisis of public affairs, together with his being alone at some distance from the troops which he commanded, begat suspicions that he chose to fall into the hands of the British. Though these apprehensions were without foundation, they produced the same extensive mischief as if they had been realities. The Americans had reposed extravagant confidence in his military talents, and experience of regular European war. Merely to have lost such an idol of the state at any time, would have been distressful; but losing him under circumstances, which favoured an opinion that, despairing of the American cause, he chose to be taken a prisoner, was to many an extinguishment of every hope.

By the advance of the British into New-Jersey, the neighbourhood of Philadelphia became the seat of war. This prevented that undisturbed attention to public business which the deliberations of congress required. They therefore, on the 12th of December, adjourned themselves to meet in eight days at Baltimore, resolving at the same time, "that general Washington should be possessed of full power to order and direct all things relative to the department and operations of war."

The activity of the British in the close of the campaign, seemed in some measure to compensate for their tardiness in the beginning of it.

Hitherto they had succeeded in every scheme; they marched up and down the Jersey side of the river Delaware, and through the country, without any molestation. All opposition to the re-establishment of royal government seemed to be on the point of expiring. The Americans had thus far acted without system, or rather feebly executed what had been tardily adopted. Though the war was changed from its first ground, a redress of grievances to a struggle for sovereignty, yet some considerable time elapsed before arrangements conformable to this new system were adopted, and a much longer before they were carried into execution.

In proportion as difficulties increased, congress redoubled their exertions to oppose them; on the 10th of December they addressed the states in animated language, calculated

calculated to remove their despondency, renew their hopes, and confirm their resolutions.

They at the same time despatched gentlemen of character and influence to excite the militia to take the field. General Mifflin was, on this occasion, particularly useful; he exerted his great abilities in rousing his fellow-citizens, by animated and affectionate addresses, to turn out in defence of their endangered liberties.

Congress also recommended to each of the United States "to appoint a day of solemn fasting and humiliation, to implore of Almighty God the forgiveness of their many sins, and to beg the countenance and assistance of his providence in the prosecution of the present just and necessary war."

In the dangerous situation to which every thing dear to the friends of independence was reduced, congress transferred extraordinary powers to general Washington, by a resolution, expressed in the following words:

"The unjust, but determined purpose of the British court to enslave these free states, obvious through every delusive insinuation to the contrary, having placed things in such a situation that the very existence of civil liberty now depends on the right execution of military powers; and the vigorous decisive conduct of these being impossible to distant, numerous, and deliberative bodies; this congress, having maturely considered the present crisis, and having perfect reliance on the wisdom, vigour, and uprightness of general Washington, do hereby

"Resolve, That general Washington shall be, and he is hereby invested with full, ample, and complete powers, to raise and collect together, in the most speedy and effectual manner, from any or all of these United States, sixteen battalions of infantry, in addition to those already voted by congress; to appoint officers for the said battalions of infantry; to raise, officer, and equip 3000 light-horse, three regiments of artillery, and a corps of engineers, and to establish their pay; to apply to any of the states for such aid of the militia as he shall judge necessary; to form such magazines of provisions, and in such places as he shall think proper; to displace and appoint
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all officers under the rank of brigadier-general, and to fill up all vacancies in every other department in the American armies; to take, wherever he may be, whatever he may want for the use of the army, if the inhabitants will not sell it, allowing a reasonable price for the same; to arrest and confine persons who refuse to take the continental currency, or are otherwise disaffected to the American cause; and return to the states of which they are citizens, their names and the nature of their offences, together with the witnesses to prove them: That the foregoing powers be vested in general Washington, for and during the term of six months from the date hereof, unless sooner determined by congress."

In this hour of extremity, the attention of congress was employed in devising plans to save the states from sinking under the heavy calamities which were bearing them down. It is remarkable, that neither in the present condition, though trying and severe, nor in any other since the declaration of independence, was congress influenced either by force, distress, artifice, or persuasion, to entertain the most distant idea of purchasing peace, by returning to the condition of British subjects. So low were they reduced in the latter end of 1776, that some members, distrustful of their ability to resist the power of Great Britain, proposed to authorise their commissioners at the court of France to transfer to that country the some monopoly of their trade which Great Britain had hitherto enjoyed. On examination it was found, that concessions of this kind would destroy the force of many arguments heretofore used in favour of independence, and probably disunite their citizens. It was next proposed to offer a monopoly of certain enumerated articles of produce. —To this the variant interests of the different states were so directly opposed, as to occasion a speedy and decided negative. Some proposed offering to France a league offensive and defensive, in case she would heartily support American independence; but this was also rejected. The more enlightened members of congress argued, "Though the friendship of small states might be purchased, that of France could not." They alleged, that if she would
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risque a war with Great Britain, by openly espousing their cause, it would not be so much from the prospect of direct advantages, as from a natural desire to lessen the overgrown power of a dangerous rival. It was therefore supposed, that the only inducement likely to influence France to an interference, was an assurance that the United States were determined to persevere in refusing a return to their former allegiance. Instead of listening to the terms of the royal commissioners, or to any founded on the idea of their resuming the character of British subjects, it was therefore again resolved, to abide by their declared independence, and proffered freedom of trade to every foreign nation, trusting the event to Providence, and risking all consequences. Copies of these resolutions were sent to the principal courts of Europe, and proper persons were appointed to solicit their friendship to the new-formed states. These despatches fell into the hands of the British, and were by them published. This was the very thing wished for by congress; they well knew, that an apprehension of their making up all differences with Great Britain was the principal objection to the interference of foreign courts, in what was represented to be no more than a domestic quarrel. A resolution adopted in the deepest distress and the worst of times, that congress would listen to no terms of reunion with their parent state, convinced those who wished for the dismemberment of the British empire, that it was sound policy to interfere, so far as would prevent the conquest of the United States.

These judicious determinations in the cabinet were accompanied with vigorous exertions in the field. In this crisis of danger, 1500 of the Pennsylvania militia embodied to reinforce the continental army. The merchant, the farmer, the tradesman, and the labourer, cheerfully relinquished the conveniencies of home, to perform the duties of private soldiers, in the severity of a winter campaign. Though most of them were accustomed to the habits of a city life, they slept in tents, barns, and sometimes in the open air, during the cold months of December and January. There were, nevertheless, only two instances of sickness, and only one of death in that large body

body of men in the course of six weeks. The delay so judiciously contrived on the retreat through Jersey, afforded time for these voluntier reinforcements to join general Washington. The number of troops under his command at that time fluctuated between two and three thousand men. To turn round and face a victorious and numerous foe, with this inconsiderable force, was risking much; but the urgency of the case required that something should be attempted. The recruiting business for the proposed new continental army was at a stand, while the British were driving the Americans before them. The present regular soldiers could, as a matter of right, in less than a week claim their discharge, and scarce a single recruit offered to supply their place. Under these circumstances, the bold resolution was formed of re-crossing into the state of Jersey, and attacking that part of the enemy which was posted at Trenton.

When the Americans retreated over the Delaware, the boats in the vicinity were removed out of the way of their pursuers. This arrested their progress: But the British commanders, in the security of conquest, cantoned their army at Burlington, Bordenton, Trenton, and other towns of New-Jersey, in daily expectation of being enabled to cross into Pennsylvania, by means of the ice which is generally formed about that time.

Of all events, none seemed to them more improbable, than that their late retreating half-naked enemies should, in this extreme cold season, face about and commence offensive operations. They indulged themselves in a degree of careless inattention to the possibility of a surprise, which in the vicinity of an enemy, however contemptible, can never be justified. It has been said, that colonel Rahl, the commanding officer in Trenton, being under some apprehension for that frontier post, applied to general Grant for a reinforcement, and that the general returned for answer, "Tell the colonel he is very safe; I will undertake to keep the peace in New-Jersey with a corporal's guard."

In the evening of Christmas-day, general Washington made arrangements for re-crossing the Delaware in three divisions;

divisions; at M'Konkey's Ferry, at Trenton Ferry, and at or near Bordenton. The troops which were to have crossed at the two last places, were commanded by generals Ewing and Cadwallader; they made every exertion to get over, but the quantity of ice was so great, that they could not effect their purpose. The main body, which was commanded by general Washington, crossed at M'Konkey's Ferry, but the ice in the river retarded their passage so long, that it was three o'clock in the morning before the artillery could be got over. On their landing in Jersey, they were formed into two divisions, commanded by generals Sullivan and Greene, who had under their command brigadiers lord Stirling, Mercer, and St. Clair. One of these divisions was ordered to proceed on the lower, or river road, the other on the upper, or Pennington road. Colonel Stark, with some light troops, was also directed to advance near to the river, and to possess himself of that part of the town which is beyond the bridge. The divisions having nearly the same distance to march, were ordered immediately, on forcing the out-guards, to push directly into Trenton, that they might charge the enemy before they had time to form. Though they marched different roads, yet they arrived at the enemy's advanced post within three minutes of each other. The out-guards of the Hessian troops at Trenton soon fell back, but kept up a constant retreating fire. Their main body being hard pressed by the Americans, who had already got possession of half their artillery, attempted to file off by a road leading towards Princeton, but were checked by a body of troops thrown in their way. Finding they were surrounded, they laid down their arms. The number which submitted was 23 officers, and 886 men. Between thirty and forty of the Hessians were killed and wounded. Colonel Rahl was among the former, and seven of his officers among the latter. Captain Washington, of the Virginia troops, and five or six of the Americans, were wounded; two were killed, and two or three were frozen to death. The detachment in Trenton consisted of the regiment of Rahl, Losberg, and Kniphausen, amounting in the whole to about fifteen hundred men, and

and a troop of British light-horse. All these were killed or captured, except about six hundred, who escaped by the road leading to Bordenton.

The British had a strong battalion of light-infantry at Princeton, and a force yet remaining near the Delaware, superior to the American army. General Washington therefore, in the evening of the same day, thought it most prudent to re-cross into Pennsylvania with his prisoners.

The effects of this successful enterprise were speedily felt in recruiting the American army. About fourteen hundred regular soldiers, whose time of service was on the point of expiring, agreed to serve six weeks longer, on a promised gratuity of ten paper dollars to each. Men of influence were sent to different parts of the country to rouse the militia. The rapine and impolitic conduct of the British operated more forcibly on the inhabitants, to expel them from the state, than either patriotifm or persuasion to prevent their over-running it.

The Hessian prisoners taken on the 26th being secured, general Washington re-crossed the Delaware, and took possession of Trenton. The detachments which had been distributed over New-Jersey, previous to the capture of the Hessians, immediately after that event assembled at Princeton, and were joined by the army from Brunswick under lord Cornwallis. From this position, on the 2d of January 1777, they came forward towards Trenton in great force, hoping, by a vigorous onset, to repair the injury their cause had sustained by the late defeat. Truly delicate was the situation of the feeble American army. To retreat was to hazard the city of Philadelphia, and to destroy every ray of hope which had begun to dawn from their late success. To risque an action with a superior force in front, and a river in rear, was dangerous in the extreme. To get round the advanced party of the British, and by pushing forwards to attack in their rear, was deemed preferable to either. The British, on their advance from Princeton, about four o'clock in the afternoon, attacked a body of Americans which were posted, with four field-pieces, a little to the northward of Trenton, and

and compelled them to retreat. The pursuing British being checked at the bridge over Sanpink Creek, which runs through that town, by some field-pieces which were posted on the opposite banks of that rivulet, fell back so far as to be out of reach of the cannon, and kindled their fires. The Americans were drawn up on the other side of the creek, and in that position remained till night, cannonading the enemy and receiving their fire. In this critical hour two armies, on which the success or failure of the American revolution materially depended, were crowded into the small village of Trenton, and only separated by a creek in many places fordable. The British believing they had all the advantages they could wish for, and that they could use them when they pleased, discontinued all further operations, and kept themselves in readiness to make the attack next morning. Sir William Erskine is reported to have advised an immediate attack, or at least to place a strong guard at a bridge over Sanpink Creek, which lay in the route the Americans took to Princeton; giving for a reason, that otherwise, Washington, if a good general, would make a move to the left of the royal army, and attack the post at Princeton in their rear. The next morning presented a scene as brilliant on the one side, as it was unexpected on the other. Soon after it became dark, general Washington ordered all his baggage to be silently removed, and having left guards for the purpose of deception, marched with his whole force, by a circuitous route, to Princeton. This manœuvre was determined upon in a council of war, from a conviction that it would avoid the appearance of a retreat, and at the same time the hazard of an action in a bad position, and that it was the most likely way to preserve the city of Philadelphia from falling into the hands of the British. General Washington also presumed, that from an eagerness to efface the impressions made by the late capture of the Hessians at Trenton, the British commanders had pushed forward their principal force, and that of course the remainder in the rear at Princeton was not more than equal to his own. The event verified this conjecture. The more effectually to disguise the departure of the Ameri-

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cans from Trenton, fires were lighted up in front of their camp. These not only gave an appearance of going to rest, but as flame cannot be seen through, concealed from the British what was transacting behind them. In this relative position they were a pillar of fire to the one army, and a pillar of a cloud to the other. Providence favoured this movement of the Americans. The weather had been for some time so warm and moist, that the ground was soft, and the roads so deep as to be scarcely passable: But the wind suddenly changed to the north-west, and the ground in a short time was frozen so hard, that when the Americans took up their line of march, they were no more retarded than if they had been upon a solid pavement.

General Washington reached Princeton early the next morning, and would have completely surprised the British, had not a party, which was on their way to Trenton, descried his troops, when they were about two miles distant, and sent back couriers to alarm their unsuspecting fellow-soldiers in their rear. These consisted of the 17th, the 40th, and 65th regiments of British infantry, and some of the royal artillery with two field-pieces, and three troops of light dragoons. The centre of the Americans, consisting of the Philadelphia militia, while on their line of march, was briskly charged by a party of the British, and gave way in disorder. The moment was critical: General Washington pushed forward, and placed himself between his own men and the British, with his horse's head fronting the latter. The Americans, encouraged by his example and exhortations, made a stand, and returned the British fire. The general, though between both parties, was providentially uninjured by either. A party of the British fled into the college, and were there attacked with field-pieces which were fired into it. The seat of the muses became for some time the scene of action. The party which had taken refuge in the college, after receiving a few discharges from the American field-pieces, came out and surrendered themselves prisoners of war. In the course of the engagement, sixty of the British were killed, and a greater number wounded; and about 300 of them were taken prisoners. The rest made their
... escape,

escape, some by pushing on towards Trenton, others by returning towards Brunswick. The Americans lost only a few; but colonels Haslet and Potter, and captain Neal of the artillery, were among the slain. General Mercer received three bayonet wounds, of which he died in a short time. He was a Scotchman by birth, but from principle and affection had engaged to support the liberties of his adopted country, with a zeal equal to that of any of its native sons. In private life he was amiable, and his character as an officer stood high in the public esteem.

While they were fighting in Princeton, the British in Trenton were under arms, and on the point of making an assault on the evacuated camp of the Americans. With so much address had the movement to Princeton been conducted, that though, from the critical situation of the two armies, every ear may be supposed to have been open, and every degree of watchfulness to have been employed, yet general Washington moved completely off the ground with his whole force, stores, baggage, and artillery, unknown to, and unsuspected by his adversaries. The British in Trenton were so entirely deceived, that when they heard the report of the artillery at Princeton, though it was in the depth of winter, they supposed it to be thunder.

That part of the royal army, which having escaped from Princeton, retreated towards New-Brunswick, was pursued for three or four miles. Another party which had advanced as far as Maidenhead, on their way to Trenton, hearing the frequent discharge of fire-arms in their rear, wheeled round and marched to the aid of their companions. The Americans, by destroying bridges, retarded these, though close in their rear, so long as to gain time for themselves to move off, in good order, to Pluckemin.

So great was the consternation of the British at these unexpected movements, that they instantly evacuated both Trenton and Princeton, and retreated with their whole force to New-Brunswick. The American militia collected, and forming themselves into parties, waylaid their enemies, and cut them off whenever an opportunity presented. In a few days they over-run the Jerseys.

General Maxwell surpris'd Elizabeth-Town, and took near 100 prisoners. Newark was abandoned, and the late conquerors were forced to leave Woodbridge. The royal troops were confined to Amboy and Brunswick, which held a water communication with New-York. Thus, in the short space of a month, that part of Jersey, which lies between New-Brunswick and Delaware, was both over-run by the British, and recovered by the Americans. The retreat of the continental army, the timid policy of the Jersey farmers, who chose rather to secure their property by submission, than defend it by resistance, made the British believe their work was done, and that little else remained, but to reap a harvest of plunder as the reward of their labours. Unrestrained by the terrors of civil law, uncontrolled by the severity of discipline, and elated with their success, the soldiers of the royal army, and particularly the Hessians, gave full scope to the selfish and ferocious passions of human nature. A conquered country and submitting inhabitants presented easy plunder, equal to their unbounded rapacity. Infants, children, old men and women, were stripped of their blankets and clothing. Furniture was burnt or otherwise destroyed. Domestic animals were carried off, and the people robbed of their necessary household provisions. The rapes and brutalities committed on women, and even on very young girls, would shock the ears of modesty, if particularly recited. These violences were perpetrated on inhabitants who had remained in their houses, and received printed protections, signed by order of the commander in chief. It was in vain that they produced these protections as a safeguard. The Hessians could not read them, and the British soldiers thought they were entitled to a share of the booty, equally with their foreign associates.

Such, in all ages, has been the complexion of the bulk of armies, that immediate and severe punishments are indispensably necessary to keep them from flagrant enormities. That discipline, without which an army is a band of armed plunderers, was, as far as respected the inhabitants, either neglected, or but feebly administered in

in the royal army. The soldiers, finding they might take with impunity what they pleased, were more strongly urged by avarice, than checked by policy or fear. Had every citizen been secured in his rights, protected in his property, and paid for his supplies, the consequences might have been fatal to the hopes of those who were attached to independence. What the warm recommendations of congress, and the ardent supplications of general Washington, could not effect, took place of its own accord, in consequence of the plunderings and devastations of the royal army.

The whole country became instantly hostile to the invaders. Sufferers of all parties rose as one man to revenge their personal injuries. Those who from age or infirmities were incapable of bearing arms, kept a strict watch on the movements of the royal army, and from time to time communicated information to their countrymen in arms. Those who lately declined all military opposition, though called upon by the sacred tie of honour, pledged to each other on the declaration of independence, cheerfully embodied, when they found submission to be unavailing for the security of their estates. This was not done originally in consequence of the victories of Trenton and Princeton; in the very moment of these actions, or before the news of them had circulated, some individuals, unconscious of general Washington's movements, were concerting private insurrections, to revenge themselves on the plunderers. The dispute originated about property, or, in other words, about the right of taxation. From the same source, at this time, it received a new and forcible impulse. The farmer, who could not trace the consequences of British taxation, nor of American independence, felt the injuries he sustained from the depredation of licentious troops. The militia of New-Jersey, who had hitherto behaved most shamefully, from this time forward redeemed their character, and throughout a tedious war performed services with a spirit and discipline, in many respects equal to that of regular soldiers.

The victories of Trenton and Princeton seemed to be like a resurrection from the dead to the desponding friends of independence. A melancholy gloom had in the first twenty-five days of December overspread the United States; but from the memorable æra of the 26th of the same month, their prospects began to brighten. The recruiting service, which for some time had been at a stand, was successfully renewed; and hopes were soon indulged, that the commander in chief would be enabled to take the field in the spring, with a permanent regular force. General Washington retired to Morristown, that he might afford shelter to his suffering army. The American militia had some successful skirmishes with detachments of their adversaries. Within four days after the affair at Princeton, between forty and fifty Waldeckers were killed, wounded, or taken at Springfield, by an equal number of the same New-Jersey militia, which but a month before suffered the British to over-run their country without opposition. This enterprise was conducted by colonel Spencer, whose gallantry on the occasion was rewarded with the command of a regiment.

During the winter movements, which have been just related, the soldiers of both armies underwent great hardships; but the Americans suffered by far the greater. Many of them were without shoes, though marching over frozen ground, which so gashed their naked feet, that each step was marked with blood: There was scarcely a tent in their whole army: The city of Philadelphia had been twice laid under contribution to provide them with blankets: Officers had been appointed to examine every house, and, after leaving a scanty covering for the family, to bring off the rest for the use of the troops in the field; but notwithstanding these exertions, the quantity procured was far short of decency, much less of comfort.

The officers and soldiers of the American army were about this time inoculated in their cantonment at Morristown; as very few of them had ever had the small pox, the inoculation was nearly universal. The disorder had previously spread among them in the natural way, and proved mortal to many: But after inoculation was introduced,

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Three months, which followed the actions of Trenton and Princeton, passed away without any important military enterprise on either side. Major-general Putnam was directed to take post at Princeton, and cover the country in the vicinity. He had only a few hundred troops, though he was no more than eighteen miles distant from the strong garrison of the British at Brunswick. At one period he had fewer men for duty than he had miles of frontier to guard. The situation of general Washington at Morristown was not more eligible. His force was trifling, when compared with that of the British; but the enemy and his own countrymen believed the contrary. Their deception was cherished, and artfully continued by the specious parade of a considerable army. The American officers took their stations in positions of difficult access, and kept up a constant communication with each other. This secured them from insult and surprise. While they covered the country, they harassed the foraging parties of the British, and often attacked them with success. Of a variety of these, the two following are selected as most worthy of notice: General Dickenson, with 400 Jersey militia, and fifty of the Pennsylvania riflemen, on the 20th of January crossed Millstone river, near Somerset Court-house, and attacked a large foraging party of the British with so much spirit, that they abandoned their convoy, and fled. Nine of them were taken prisoners. Forty waggons, and upwards of one hundred horses, with a considerable booty, fell into the hands of
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The general. While the British were loading their wag-gons, a single man began to fire on them from the woods. He was soon joined by more of his neighbours, who could not patiently see their property carried away. After the foragers had been annoyed for some time by these unseen marksmen, they fancied, on the appearance of general Dickenson, that they were attacked by a superior force, and began a precipitate flight.

In about a month after * the affair of Somerset Court-house, colonel Nelson, of Brunswick, with a detachment of 150 militia-men, surprised and captured at Lawrence's Neck, a major and fifty-nine privates of the refugees, who were in British pay.

Throughout the campaign of 1776, an uncommon degree of sickness raged in the American army. Husbandmen, transferred at once from the conveniences of domestic life, to the hardships of a field encampment, could not accommodate themselves to the sudden change. The southern troops sickened from the want of salt provisions. Linen shirts were too generally worn in contact with the skin. The salutary influence of flannel, in preventing the diseases of camps, was either unknown or disregarded. The discipline of the army was too feeble to enforce those regulations which experience has proved to be indispensably necessary for preserving the health of large bodies of men collected together: Cleanliness was also too much neglected. On the 8th of August, the whole American army before New-York consisted of 17,225 men, but of that number only 10,514 were fit for duty. These numerous sick suffered much from the want of necessaries; hurry and confusion added much to their distresses: There was besides a real want of the requisites for their relief.

The campaign of 1776 did not end till it had been protracted into the first month of the year 1777. The British had counted on the complete and speedy reduction of their late colonies, but they found the work more difficult of execution than was supposed. They wholly failed in their designs on the southern states. In Canada

they recovered what in the preceding year they had lost; drove the Americans out of their borders, and destroyed their fleet on the lakes; but they failed in making their intended impression on the north-western frontier of the states. They obtained possession of Rhode Island; but the acquisition was of little service; perhaps was of detriment. For near three years several thousand men stationed thereon for its security, were lost to every purpose of active co-operation with the royal forces in the field, and the possession of it secured no equivalent advantages. The British completely succeeded against the city of New-York and the adjacent country; but when they pursued their victories into New-Jersey, and subdivided their army, the recoiling Americans soon recovered the greatest part of what they had lost.

Sir William Howe, after having nearly reached Philadelphia, was confined to limits so narrow, that the fee-simple of all he commanded would not reimburse the expense incurred by its conquest.

The war, on the part of the Americans, was but barely begun. Hitherto they had engaged with temporary forces for a redress of grievances, but towards the close of this year they made arrangements for raising a permanent army to contend with Great Britain for the sovereignty of the country. To have thus far stood their ground with their new levies, was a matter of great importance, because to them delay was victory, and not to be conquered was to conquer.

CHAP. XII.

State of Great Britain in the summer of 1776—Meeting of parliament—Debate on the proclamation of the American commissioners—Secession of the minority—Supplies—Habeas Corpus act suspended—John the Painter—Shameful profusion of ministers—Debates on the augmentation of the civil list—Address of the Speaker, Sir F. Norton, to the king—Censured by ministry—Lord Chatbam's conciliatory motion—Dispute with Holland—Campaign in America—Marauding expeditions—Action on the Brandywine—Philadelphia taken—Battle of German-Town—American forts taken—Progress of general Burgoyne—Ticonderoga evacuated—British repulsed at Fort Schuyler—Defeat of Colonel Baum—Actions at Stillwater, &c.—Surrender of Burgoyne—Conclusion of the campaign.

[A. D. 1776, 1777.]

THE summer of 1776 passed in England with no disturbance, and but little agitation of the public mind. The pompous accounts which had been detailed by ministry of the successes of our arms, amused and misled the unthinking many; and the extensive influence which they had established by means of jobs, loans, contracts, and commissions, silenced all opposition. Even the minority in both houses of parliament, though consisting of the most respectable of the ancient nobility of the realm, and of the best families of the landed interest, were so dispirited by continued disappointments and fruitless efforts, that they even meditated a secession from their public duty.

The inattention of the British nation to the deplorable situation, in which the errors and wickedness of ministry had involved them, is the more extraordinary, when we recollect the ever wakeful attention of the commercial world to their own interests, and observe, at the same time, that the captures made on the seas by the American

cruizers

cruizers were calculated at not less than one million sterling. The West-India islands were also reduced to a state of almost intolerable distress, from the failure of the usual supplies from America; and in most of them the necessaries of life had risen to three or four times their usual price.

A contemporary historian has remarked, that the speech from the throne at the opening of parliament, on the 31st October 1776, was distinguished by "an ungarded and undignified intemperance of language."

Nothing, his majesty observed, could have afforded him so much satisfaction, as to have been able to inform the houses, at the opening of this session, that the troubles in North America were at an end; but so *daring* and *desperate* was the spirit of those leaders *whose object had always been dominion and power*, that they had now openly renounced all allegiance to the crown, and all political connexion with this country; they had rejected, with circumstances of indignity and insult, the means of conciliation held out to them under the authority of his majesty's commission, and had *presumed* to set up their *rebellious confederacies for independent states*. If their *treason* were suffered to take root, much mischief must grow from it, to the safety of his majesty's colonies, the commerce of the kingdom, and indeed the present system of all Europe. One great advantage, however, would be derived from the object of the *rebels* having been openly avowed, and clearly understood; we should have unanimity at home, founded in the general conviction of the justice and necessity of our measures. The two houses were informed of the recovery of Canada, and the success on the side of New-York, which, although they had been so important as to give the strongest hopes of the most decisive good consequences, would nevertheless not prevent the preparations for another campaign. His majesty observed that he continued to receive assurances of amity from the several courts of Europe, but that nevertheless it was necessary we should be in a respectable state of defence at home. An apology was made to the commons for the unavoidable expense. The speech concluded.

cluded with an assurance that his majesty had no object in this arduous contest but to promote the true interest of all his subjects. No people ever enjoyed more happiness, or lived under a milder government, than those now revolted provinces; the improvements in every art, of which they boast, declare it; their numbers, their wealth, their strength by sea and land, which they think sufficient to enable them to make head against the whole power of the mother-country, are irrefragable proofs of it.—The debates on the addresses, in consequence of this speech, were long and tedious.

Addresses, the echo of the speech, were brought forward in both houses; but an amendment, which was in reality another address in a totally different strain, was moved by lord John Cavendish in the house of commons, and the marquis of Rockingham in the house of lords, containing a masterly recapitulation of the manifold errors of that system which had caused the entire alienation, and at length the open revolt, of so large a part of his majesty's once loyal and affectionate subjects. It concluded with the observation, "that a wise and provident use of the late advantages might be productive of happy effects; as the means of establishing a permanent connexion between Great Britain and her colonies, on principles of liberty, and terms of mutual benefit."

"We should look," said this truly excellent and admirable address, "with shame and horror on any events that should bow them to an abject and unconditional submission to any power whatsoever—annihilate their liberties, and subdue them to servile principles and passive habits by the mere force of foreign mercenary arms."

The speech from the throne, under the established and decorous pretext of its being the speech of the minister, was treated with the most contemptuous and sarcastic severity. "Where," it was asked, "are those mighty leaders to be found whom the Americans obey so implicitly, and who govern them with so despotic a rule? They have no grandees among them; their soil is not productive of nobility; in no country are there in fact so few individuals possessed of a commanding or extensive influence;

influence; the president of their supreme assembly was a merchant; the general of their armies a private gentleman. Nothing could be more evident than that a sense of common danger and of common suffering had driven them to the necessity of creating leaders, who were possessed only of such powers as the people had thought it expedient to entrust them with. In the same spirit of falsehood it was asserted, "that the Americans had rejected with circumstances of indignity and insult the terms of conciliation offered them." The truth was, that no terms had been offered them but the offer of a pardon on unconditional submission, which the ministers well knew they would never accept; nor was even this mock offer made till the whole system of irritation and oppression was completed by the injustice and cruelty of the capture act, by which they were put out of the protection of the law, and their property held out as common spoil. The position in the speech, so undeniably true, "*that no people ever enjoyed greater happiness, or lived under a milder government, than these now revolted colonies,*" implied the severest censure on those who had so wantonly and wickedly departed from a system which had produced such noble and wonderful effects. The expectation of unanimity from the present situation of affairs was, however, said to be of all the parts of this extravagant speech the most ridiculous. "What! shall we at last concur in measures, because all the mischiefs which were originally predicted have ultimately resulted from them? Have ministers the unparalleled effrontery to call upon us to give our sanction to that fatal system which we in vain warned and implored them to shun, and which persisted in must terminate in utter ruin?" On a division, the amendment was rejected in the house of commons by a majority of 242 to 87, and in the house of peers by 91 to 26, fourteen of whom joined in a protest, in which the proposed amendment was verbatim inserted, in order that it might remain as a perpetual memorial on the journals of that house.

In a few days after the addresses were presented, lord John Cavendish, exhibited in the house a printed paper,

purporting to be a proclamation of his majesty's commissioners in America, and called upon ministers to inform him as to the authenticity of it. This being acknowledged, his lordship expressed in the strongest terms his astonishment at the contempt and indignity offered to the house, who, through the medium of a common newspaper only, were at length informed that they stand engaged to America to undertake a revision of all those laws by which the Americans had conceived themselves to be aggrieved. Notwithstanding the resentment he felt as a member of the house at this ministerial insolence of conduct, his lordship said that he felt a dawn of joy break in upon his mind at the bare mention of reconciliation, whatever colour the measures might wear that led to so desirable an event. The great object of restoring peace and unity to this distracted empire outweighed so far with him all other present considerations, that he not only would overlook *punctilios* on this account, but even such matters of real import as would upon any other occasion call all his powers into action. On these grounds his lordship moved, "that the house should resolve itself into a committee, to consider of the revival of all acts of parliament by which his majesty's subjects in America think themselves aggrieved."

The opposition were strenuous in asserting, that the crown promised in this proclamation more than it could grant without permission of parliament; the crown having only a voice in the passing or repeal of laws, but no power to revise such as the parliament have again and again confirmed contrary to all endeavours from opposition. Nothing can be more unjust than to pretend to disarm the Americans previous to a negotiation. Such practice cannot derive a foundation even from the most tyrannical edicts or practices; and after having by sure and deliberate degrees impelled the Americans to the natural protection, self-defence, to ask them to lay down their arms and entrust themselves to their mercy, who had undone them, who had tortured them to desperation, is not more absurd than cruel, and not more unlike Britons, than unlike savages.—The question, after great animosity of de-

bate, being put, the motion was rejected by a majority of 109 to 47.—This event was followed by that secession, which had been long meditated, of a great number of the members of opposition, particularly of the Rockingham party; they no longer saw duty or advantage to the public in wasting their time and strength in unavailing attempts to oppose the resolute determinations of ministry. They had long ago foretold every thing that had happened; they had made uniform efforts to prevent the impending danger, but they saw that all their efforts now served only to expose them to the resentment of a people infatuated and deluded. We may add, that few circumstances contributed more to open the eyes of the besotted people of England, than this secession. They now felt themselves at the mercy of the ministry, and deserted by all the wisdom and patriotism of the nation; and the dissatisfaction which soon after broke forth in various patriotic meetings and resolves, may in part be attributed to this proceeding.

The expenses of the navy, including the ordinary at 400,005*l.* and the building and repairing of ships, which was voted at 465,500*l.* amounted to no less than 3,205,505*l.* exclusive of 4000*l.* voted to Greenwich hospital, and a million afterwards granted for the purpose of defraying the debt of the navy. The supplies for the land service were near three millions, although the extraordinaries of the land service for the preceding year, which exceeded 1,200,000*l.* with some other expenses, were not yet provided for. On the motion and grant of 45,000 seamen, the conduct of lord Sandwich, first lord of the admiralty, was severely animadverted upon by some of the opposition in the house of commons, who demanded that sundry returns of the navy, within certain specified periods, should be laid before them. This, after considerable contest, was refused without a division upon the motion.

Soon after the recess, which continued from December the thirteenth to the twenty-first of January 1777, lord North moved for leave to bring in a bill, to enable his majesty to secure and detain persons charged with, or suspected of the crime of high treason committed in Ame-

rica, or on the high seas, or the crime of piracy. The bill was brought in and read the following day (February the 7th), and a motion made, that it should be read a second time on the 10th: But the principal enacting clause appearing in a very alarming point of view, it was strongly combated by such of the opposition as were present. This clause declared all persons taken in the act of high treason, committed in any of the colonies, or on the high seas, or in the act of piracy, or who are or shall be charged with or suspected of any of these crimes, liable to be committed to any common gaol, or to any other place of confinement, appointed for that purpose under his majesty's sign manual, within any part of his dominions, there to be detained in safe custody, without bail, mainprize, or trial, during the continuance of the law, with a provision, however, enabling a certain number of the privy council to grant an order for admitting such persons to bail or trial.

Of the few members in opposition who happened to be present, Mr. Dunning animadverted most severely on the bill now proposed by the minister. He expressed the utmost astonishment, that a bill of such magnitude and importance, which struck directly at the great palladium of the British constitution, the habeas corpus act, should be brought in without proper notice, at a season when the house was so badly attended, and an attempt made to precipitate its passage in so extraordinary a manner as to propose the second reading within three or four days after its being first heard of. Besides the defect in point of notice, he said it had also been brought in unfairly, and was totally different from what the minister had announced it to be on the preceding day. It was likewise extremely discordant in its parts; neither the title nor preamble giving the smallest idea of the extraordinary matter contained in the enacting clauses. He was equally shocked and alarmed to see a bill, which was to suspend all the functions of the constitution, brought in under such circumstances, and attempted to be smuggled through a thin house under false colours, before the nation could be apprised of its danger, or their constituents have the smallest notice,

notice, that they were going to surrender the foundation of all their other rights, and the peculiar characteristic of the British government.

The alarm excited by this measure recalled a few of the minority gentlemen, who had before refused their attendance, and the debates were renewed with as great violence as ever. Among the manifold objections to this bill, it was remarked, that it was framed with "such treacherous artifice of construction," that by the enacting clauses, the crown was enabled, *at its pleasure*, to commit, not only Americans, but any other person resident in the British dominions, without bail or mainprize to any place of confinement in Great Britain or *elsewhere*. Thus was the habeas corpus act, that great bulwark of British liberty, completely annihilated by a vile and infamous construction of law, which left it in the power of the crown to apprehend on the slightest suspicion, or pretence of suspicion, any individual against whom the vengeance of the court was meant to be directed; and to convey them beyond the seas to any of the garrisons in Africa or the Indies, far from all hope or possibility of relief. At length the minister, with that inconsistency which marked all his conduct, explicitly disavowed as to himself all design of extending the operation of the bill beyond its open and avowed objects. He said, "that the bill was intended for America, and not for England; that, as he would ask for no power that was not wanted, so he would scorn to receive it by any covert means; and that, far from wishing to establish any unconstitutional precedent, he neither sought nor wished any powers to be vested in the crown or its ministers which were capable of being employed to bad or oppressive purposes." He therefore agreed to receive the amendments proposed; the principal of which were in substance: 1. That the clause empowering his majesty to confine such persons as might be apprehended under this act *in any part of his dominions*, should be modified by the insertion of the words, "within the realm;" and 2dly, That an additional clause or proviso be inserted, "that nothing in this act shall be construed to extend to persons resident in Great Britain."

These concessions gave extreme offence to the leaders of the high prerogative party, who had zealously defended the bill in its original state, and who now exclaimed, that they were deserted by the minister in a manner which seemed calculated to disgrace the whole measure, to confirm all the charges and surmises of their adversaries, and to fix all the odium upon them. "And it was indeed sufficiently evident (a modern writer observes) from the whole conduct of the business, that the minister, on this as on other occasions, was not admitted into the inmost recesses of the royal cabinet."

While these affairs were transacting, the ministry were enabled by a fortunate occurrence to raise an alarm in the minds of the people, and still farther to excite their abhorrence of the Americans. The absurd story of a plot against the government which had been fabricated in 1775, and on which Mr. Sayre had been committed to the Tower, was not found to answer the purposes of the ministry, and had rather contributed to overwhelm them with disgrace, than to raise their popularity. The instance we have to relate was more favourable to their views; either the man in question was really guilty, or the circumstances were involved in such perplexity, that it was impossible to unravel the mystery. In the latter end of the year 1776, a fire was discovered in the rope-house at the royal dock-yard of Portsmouth, which was however extinguished without communicating to the other magazines. On the 7th of January, a fire also broke out in some warehouses at Bristol; six or seven of which were consumed. The alarm was instantly raised of plots and incendiaries, and the suspicions of the public were at length directed to an itinerant painter of the name of John Aitken, by birth a Scotchman, but who was said lately to have returned from America, where he had resided some time. As the fire at Bristol had taken place while he was supposed to be in that city, and some suspicious circumstances in his conduct, and his solitary mode of life, had attracted attention, he was arrested soon after his departure from that place. On his examination, however, before the lords of the admiralty, nothing ap-
peared

peared to criminate him, but he was nevertheless committed to prison. In the mean time every stratagem was employed to draw from him a confession of guilt. Another American painter was enlisted for this purpose, who by pretending to sympathize with the misfortunes of John the Painter, asserted that he had extorted from him a full confession of his crimes. This man was almost the sole evidence brought forward on the trial, and though a person of infamous character, on his testimony respecting the communications which took place in the prison, John the Painter was condemned and executed. On his way to the place of execution he is said to have made a confession of his guilt to a certain commissioner of the admiralty, adding, that he had been encouraged to the undertaking by Mr. Silas Deane, one of the American agents at Paris.

Such are the outlines of this mysterious transaction. The fact was generally believed at the time, though there were some who entertained doubts, even then, concerning the truth of every particular. It was thought extraordinary that John the Painter, who was certainly a man of considerable talents, and who knew how much depended upon keeping his own counsel, should unburden himself at a few interviews to a man who was before a perfect stranger to him, and who, he might justly suspect, was sent purposely to draw from him the fatal secret. The infamous character of the witness was also severely animadverted upon; and even the confession which he was said to have made to the commissioner of the admiralty, did not serve entirely to remove these doubts. The confession, as to its genuineness, must ultimately rest upon the veracity of that commissioner; but we are not informed, it was said, what methods were made use of to extort that confession, or what hopes of pardon might have been held out to a man, who, within sight of the gibbet, considered his case as desperate. The other circumstances adduced on his trial were too slight to have determined a case where the life of a fellow-creature is depending; and it must not be forgotten that the poor victim was a friendless and destitute wretch, with neither money nor support of any kind, and whose character, from his itinerant mode of life,

&c.

&c. was involved in suspicion. In a word, however guilty John the Painter might be, we trust the precedent will not operate in other cases : We trust that no person more innocent or more meritorious will ever be convicted on circumstantial proof, or on the testimony of such a witness as the person on whose evidence he was condemned.

Severe inquiries were about this period instituted in parliament concerning the expenditure of the public money. The accounts were said to be in many places obscure, and, if any where intelligible, they were extravagant, and only calculated to enrich the avaricious contractor at the expense of the public. Lord North assured the house, that great economy had been observed, and that in some cases the contractors were losers ; but in every exigency he had been careful to make such bargains as were most advantageous for the public. The landgrave of Hesse however had made a demand for 44,000*l.* of levy-money ; this demand was unexpected, and seemingly unfair ; the minister to this replied, that the landgrave quoted the treaty of 1755 as a precedent, and was entitled to the advantages both of the former and present treaties, although his troops had never served in America ; the demand was unexpected, indeed, but perfectly fair. A very severe and continued debate was daily renewed in the committee of supply on these subjects, and the minister had scarcely finished his defence, however lame, when he was under a necessity of laying before them a message from his majesty, at a time very unfavourable for the request contained in it.

On the 9th of April 1777, a message was delivered by the minister from the king, in which his majesty expressed " his concern in acquainting the house with the difficulties he laboured under from the debts incurred by expenses of the civil government, amounting, on the 5th of January preceding, to upwards of 600,000*l.*" And the house on this message resolving itself into a committee of supply, the minister moved, " That the sum of 618,000*l.* be granted, to enable his majesty to discharge the debts of the civil government ; and that the sum of 100,000*l.* per annum, over and above the sum of 800,000*l.* be granted as a farther provision for the same."

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These propositions called forth the whole strength of opposition. The gentlemen on that side of the house, while they lamented the degrading situation of the sovereign, and the many distresses brought upon individuals, ascribed the debt entirely to the boundless and scandalous profusion of ministers, and insisted that the present revenue was, without any possibility of doubt, not only sufficient to answer all the purposes of government, when under the restriction of a prudent economy, but also fully to support the grandeur, splendour, and magnificence of the crown, in a manner suitable to its own dignity, and the greatness of the nation, even in its happiest æra. It was too manifest, however, that the debt had been incurred in supporting and carrying on a system of corruption. There was no man, let his party be what it would, who had not an internal conviction, that the royal revenues were squandered in obtaining that baneful and unbounded influence which swept away every thing before it. Thus the nation was already brought to the brink of ruin; we were in a great measure already deprived of the benefits of a limited government; a great monarch was reduced to straits which would disgrace a private gentleman, and the lustre of the British crown tarnished in a manner never heard of before. The constitution, it was true, was not alarmed by the boisterous voice of prerogative; but the danger was now much greater, as the foe was sly, covert, and insidious; and his operations, though slower, were much more certain. They were therefore called upon by their patriotism, and by every tie of public as well as private duty, to restrain, instead of augmenting, the means of corruption, and to prevent ministers, under any name or pretence whatever, from obtaining the disposal of such a permanent revenue as would render them either independent of parliament, or enable them to establish such an influence as might virtually prescribe its duties, or control its operations.

The opposition also animadverted on the accounts in the most severe manner. They were fabricated, they said, to perplex, and not to give information; the facts of which their titles announced the discovery, could not bear the light. A great part of the royal revenue had been squandered

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dered in so shameful a manner, that the ministers dared not avow its disposal, nor communicate such a piece of knowledge to the public. They were not accompanied with any vouchers, or with any collateral or explanatory observation, capable of giving them even that colour of authenticity which was necessary for their appearance before parliament, or to render them worthy of its attention. Some accounts had even been fabricated, in order to deceive the people into an opinion, that the crown had been a great loser by the bargain made in 1760. In estimating the amount of what was most improperly called the *hereditary revenues*, or, properly, the *appropriated duties*, for the last sixteen years, compared with that of the actual civil-list revenue, a great surplussage was stated, and represented as so much loss to the crown, which had resigned the former: Although the fact was, that the greater part of this surplus arose from a parliamentary fund which had no existence in the year 1760, and to which, if it had, the crown could not have had the smallest pretension. This fund was created by the post-office act of the 5th of the present reign; and in this estimate, with an evident view of imposition and deception, was brought to account on the side of the crown, under the supposition that the multiplicity and perplexity of figures would, together with indolence and inattention so prevalent in public affairs, effectually operate in preventing detection. It was observed, that the large sums of 171,000*l.* and 114,000*l.* were charged in two lines for *secret service*, under the disposal of the two secretaries of the treasury, which could not but seem dangerous as well as mysterious. It was allowed to be right and necessary that the secretaries of state should be allowed money for the purpose of procuring foreign intelligence; but that the officers of the treasury, who can have no public connexion beyond their own office, much less any intercourse with foreign states, should be the agents for disposing of the public money in secret service, was most alarming, and had in itself sufficient evidence to put an end at once to all doubts as to its design or application. The expense charged under the heads of Cofferer's Office, Board of Works, and Foreign Ministers, was said to be enormous beyond measure. It now appeared, that an attempt

tempt was made to realize the wretched policy of James II. viz. the maintaining an army of ambassadors, at the same time that every transaction, either with regard to foreign or domestic affairs, proclaimed aloud the imbecility of ministers, and the folly of their negotiations. Above half a million was stated under the article of the Board of Works, without the least item to show to whom, or for what purpose it was disposed; or on what palace, house, park, or royal garden, it had been expended.

On the part of the ministry, this deficiency in their accounts was attributed to their predecessors in office, who had carried away from their respective departments those papers and documents which would have been necessary to afford that unusual degree of accuracy and specification now demanded. It was also maintained, that, far from treating parliament with contempt, or designing to mislead, or keep them in ignorance, they had much exceeded their predecessors in exactness. Upon similar occasions it had been customary, either to give no accounts at all, or only such gross and loose estimates as were now become so much the objects of censure. Such had been the case in the year 1710, under queen Anne, and in that of George I. when two such applications were made. The same had been done at the accession of the late king, when the annual augmentation of 100,000*l.* was made to the civil-list revenue; in the year 1747, under the same reign, when parliament granted 450,000*l.* to discharge that monarch's debts; and such they observed, finally, was the case in the year 1769, upon the former application by his present majesty to parliament.

It was likewise contended, particularly in the house of lords, that the crown had a just and equitable claim to the provision now demanded, in consequence of that most generous and liberal act of his majesty in the beginning of his reign, when, from a feeling for the burdens of his people, and a desire of contributing to their ease, he surrendered the civil-list revenue of the former reign, which was fully competent to all the expenses of his household and civil government, and accepted of the present income, without any experience to decide upon it, although it was then hoped it would have been sufficient to answer every purpose.

purpose. During the sixteen years of the present reign, they also said, that the revenues above mentioned had exceeded the annual amount of the royal income by considerably more than two millions, and about doubled the aggregate sum granted by parliament in the year 1769, and that required for the discharge of the present debt. From these they contended that the discharge of the present incumbrances, as well as the future augmentation, were evidently matters of justice and right, though applied for, and wished to be received, as favours; and that, in such circumstances, the scrutinizing of accounts, and entering into minute inquiries, was equally absurd and petulant.

In the house of commons, the application was supported by other arguments. The revenue, it was affirmed, was really and truly insufficient for the purposes it had to answer. It was impossible, nor would it be proper, even though the case were otherwise, to restrain the expenses of a great sovereign, and those in the numerous departments of his household and civil government, within the limits of an exact economy. The parsimony which would be highly commendable in a private gentleman, would be meanness in a monarch. They observed the prodigious rise in all the necessaries of life, and increase in every article of expense and the mode of living, which had taken place during the last fifty years, being the period since certain funds were assigned to the civil-list establishment, which were intended to produce at least 800,000*l.* per annum. They dwelt also upon the numerous increase of the royal family; but, however great the satisfaction arising from this circumstance might be, it must naturally and inevitably be productive of great additional expense. Other occasional or extraordinary expenses had also occurred. The revenues of the crown had been considerably diminished in consequence of the public calamities. By these the American quit-rents, at least for the present, were lost; and, by judgments of law-courts, the West India revenue had been greatly diminished. A great clamour was made about the increase of pensions, and they were talked of in general as means of corruption; but, would they cut off the rewards for officers

cers of the law, to whom an honourable repose, after the toils they had endured, was as necessary as equitable? Must ministers in foreign courts, who had spent their youth, and certainly not increased their fortunes in that service, retire to spend their last years in discontent and misery?

By these arguments the minority were far from being silenced. They ridiculed the idea of considering the duties appropriated by the parliament to the support of the civil-list, as an hereditary property, and the revenue of the crown as the entailed estate of a private gentleman. These duties, they said, belonged at no time to the crown, but were always under the disposal of parliament. It was, therefore, to the last degree absurd, preposterous, and fallacious, to represent the agreement entered into by his present majesty with the public, as an act of *concession* in him. No person, they said, would pretend to make it a doubt, that the ministers, who were in office at the commencement of the present reign, under all the particular circumstances of glory and affection, which so happily distinguished that æra, would advise his majesty in an application to a parliament and people, who could refuse him nothing, to demand such an income as would be fully adequate to the maintenance and support of the crown with dignity and splendour. It must have been then in the king's contemplation to marry; and he must himself, as well as his ministers, of course look forward to the expenses consequent to such a state, attended with the probability of a numerous issue. This was undoubtedly done; and these contingencies were then supposed on all sides to be amply provided for, by the bounty granted in parliament. The proposal not only originated from the throne, but the acceptance of it by parliament was gratefully acknowledged. The grant was made in the very way proposed by Mr. Legge, who was then chancellor of the exchequer, and who, in the king's name, gave the most explicit assurances, that no more should be asked. The civil-list act expressly declares in its preamble, that 800,000*l.* was a certain competent revenue for defraying

the expenses of his majesty's civil government, and supporting the dignity of the crown of Great Britain.

The arguments adduced, and the right claimed, from the supposed practice of parliament, in constantly discharging, without account or inquiry, the incumbrances of the crown upon former applications, were said to be equally unfounded, and to have been overthrown by facts already stated. Queen Anne bestowed 100,000*l.* annually of her private revenue, in supporting a most extensive, dangerous, and important war; and she expended vast sums of money upon a public object, in the erection of Blenheim palace. Her claim upon the public was not, however, founded upon her generosity, munificence, or prodigality. Parliament, during the pressing exigencies of the nation, had very considerably broken in upon several branches of the civil-list revenue, which were diverted from their proper channel, to answer the immediate and important demands of the war. This abstraction of the revenue must, of course, have affected the private economy of the sovereign, and occasioned her to run in debt, for the discharge of which she had an equitable and legal claim on the public. It was no wonder, therefore, that she was not pressed to show how the debt had been incurred, when the sum required was less than the demand which a fair creditor might have made. Neither did George II. apply to parliament for any benevolence, nor did he require any increase of revenue. He did not desire to have his debts paid, merely because he was in debt; he only demanded the payment of money to which he was legally entitled, and which the nation was bound by act of parliament to make good.

But leaving inquiries into past transactions, and deductions drawn from them, it was maintained by several members in both houses, that if the revenues proceeding from Wales, Cornwall, the dutchy of Lancaster, Ireland, the West India islands, American quit-rents, and other sources of smaller consequence, were taken into consideration, and added to the civil-list establishment, the crown would be found to have possessed, for several years,

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a revenue of more than a million sterling: That if the American quit-rents had not been lost, or could be recovered, this revenue, solely in the crown, independent of account, and free from inquiry, would, in a few years, increase in such a degree, as to afford a greater fund of treasure for private disposal than the most powerful and arbitrary sovereign in Christendom could boast of.—

Though the revenues of Hanover and Osnaburgh did not come within the cognizance of parliament, they were, however, to be considered as objects of attention in all questions relative to the excessive growing power, and dangerous influence of the crown. With such vast funds in its possession, that poverty which was now so strongly urged, and so grievously pleaded, and which, indeed, was too shamefully apparent in all the economy of the court, instead of answering the purposes proposed by the ministers in their representations, should have a very different effect, and in reality afforded room for the most serious and alarming reflections and apprehensions. It was likewise said to be a matter of the utmost impropriety and indecency, to bring in such a demand, in a season of public calamity and danger, like the present. Ministers had already plunged the nation in a civil war, which had cost upwards of twenty millions; they had severed the empire, destroyed our commerce, and given a mortal blow to public credit. Thirteen growing and flourishing provinces were lost, some of which were already, in point of importance, if not of power, nearly equal to ancient kingdoms; and the nation was now engaged in a destructive and hopeless attempt to recover by force, what had been lost by folly and violence. Was this, then, a time to seek for new funds in order to support or increase the splendour of the crown? or, would the real splendour which it had lost, be supplied by the false glare of ostentatious profusion? or, were the ostensible expenses of government to increase in proportion to its real poverty and weakness?

Notwithstanding these arguments, and the detestable light in which the ministry were placed by opposition on the present occasion, the grant of 618,340*l.* was carried

without a division ; and soon after that of 100,000*l.* additional revenue, by a great majority.

In the house of lords, the debates were not less vehement. The duke of Grafton conjured their lordships, as the best proof of their loyalty and affection to his majesty, that they would consent to have the motion postponed, and agree to appoint a committee to inquire into the expenditure, particularly into those departments which would best admit of reduction. His grace pledged himself to the house, that, if they would go into this proposal, he would demonstrate from the most clear, authentic, and incontestable documents, that 800,000*l.* a year would answer every end of private ease, personal dignity, and royal splendour ; in a word, that it would furnish every appendage to royalty, excepting only that which ministers unhappily thought necessary, *viz.* the obtaining, by means of corrupt influence, an unbounded control over the will and resolutions of parliament. This proposal was rejected by 90 to 26. A protest was entered, in which, after stating the necessity of economy from the vast increase of public debt, and the decrease of the empire, the utmost indignation and astonishment was expressed at a profusion in ministers, which the greatest prosperity could scarcely excuse.

The most remarkable circumstance however attending this extraordinary grant, was the speech made by the speaker of the house of commons to his majesty, on presenting it a few days afterwards for the royal assent. " In a time, sir," said he, " of public distress, full of difficulty and danger, their constituents labouring under burdens almost too heavy to be borne, your faithful commons, postponing all other business, have not only granted to your majesty a large present supply, but also a very great additional revenue, great beyond example, great beyond your majesty's highest expense ; but all this, sir, they have done in the well-grounded confidence, that you will apply wisely what they have granted liberally." The countenance of the king plainly indicated how little acceptable was this unexpected liberty. On the return of the speaker and the attendant members, the thanks of
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the house were nevertheless immediately voted him; yet not without exciting the secret and acrimonious resentment of the king's friends, or prerogative party; one of whom, Mr. Rigby, took occasion in a subsequent debate to arraign the conduct of the speaker with unusual vehemence, as conveying little less than an insult on the king, and as equally misrepresenting the sense of parliament and the state of the nation. The sentiments delivered at the bar of the other house, he said, were not those of the house of commons; he for one totally disclaimed them; and he had no doubt but the majority of the house thought with him. The speaker appealed to the vote of thanks which had been passed, as a proof that he had not been guilty of the misrepresentation imputed to him: And the minister, uneasy at the altercation, intimated his wish that the subject might not be farther discussed. But Mr. Fox, immediately rising, declared, "that a serious and direct charge having been brought, the question was now at issue. Either the speaker had misrepresented the sense of the house, or he had not. He should therefore, in order to bring this question to a proper and final decision, move, that the speaker of the house, in his speech to his majesty at the bar of the house of peers, did express with just and proper energy the sentiments of this house." The speaker himself declared, "that he would sit no longer in that chair than he was supported in the free exercise of his duty. He had discharged what he conceived to be his duty, intending only to express the sense of the house; and from the vote of approbation with which he had been honoured, he had reason to believe he was not chargeable with any misrepresentation." The ministers now found themselves involved in a most unpleasant dilemma, and in pressing terms recommended the withdrawing of the motion. This being positively refused, Mr. Rigby moved for the house to adjourn. But the house appearing evidently sensible of the degradation which its dignity must sustain from any affront offered to the chair, he at length thought fit in some degree to concede; and professed, "that he meant no reflection upon the character of the speaker, but that what he had said

was the mere expression of his private opinion, and the result of that freedom of speech which was the right and privilege of every member of that house, without respect of persons; and that, if what he had advanced was not agreeable to the sense of that house, he would readily withdraw his motion of adjournment." Which being done, Mr. Fox's motion was unanimously carried; and, to complete the triumph, the thanks of the house to the speaker for his conduct in this affair were also moved, and agreed to without opposition.

A few days previous to the prorogation on the 30th of May, the earl of Chatham attended the house of lords, supported by crutches, and in a state of the utmost bodily infirmity, for the purpose of making one more conciliatory effort. The penetration of this great statesman clearly foresaw the intentions of the house of Bourbon to embrace the opportunity of humbling a proud and prosperous rival; and impressed with these ideas, moved, "That an humble address be presented to his majesty, most humbly to advise his majesty, to take the most speedy and effectual measures for putting a stop to the present unnatural war against the colonies, upon the only just and solid foundation, namely, the removal of accumulated grievances." His lordship said, that he had at different times made different propositions, adapted to the circumstances in which they were offered. The plan contained in the former bill was at this time, he confessed, impracticable. "The present motion will open the way for treaty. It will be the harbinger of peace, and will convince the Americans, that parliament is sincerely disposed to reconciliation. We have tried for unconditional submission—let us now try what can be gained by unconditional redress. The door of mercy has been hitherto shut against them; you have ransacked every corner of Germany for boors and ruffians to invade and ravage their country; for to conquer it, my lords, is impossible---you cannot do it. I may as well pretend to drive them before me with this crutch. I am experienced in spring hopes and vernal promises, but at last will come your equinoctial disappointment. But were it practicable by a long-continued course

course of success to conquer America, the holding it in subjection afterwards will be utterly impossible. No benefit can be derived from that country to this; but by the good will and pure affection of the inhabitants: This is not to be gained by force of arms; their affection is only to be recovered by reconciliation and justice. If ministers are founded in saying, that no engagements are entered into by America with France, there is yet a moment left; the point of honour is still safe; a few weeks may decide our fate as a nation. Were America suffered to form a treaty with France, we should not only lose the immense advantages resulting from the vast and increasing commerce of our colonies, but those advantages would be thrown into the hands of our hereditary enemy. America, my lords, is now contending with Great Britain under a masked battery of France, which will open as she perceives this country to be sufficiently weakened by the contest. France will not lose so fair an opportunity of separating for ever America from this kingdom. This is the critical moment---for such a treaty must and will take place, should pacification be delayed: And war between England and France is not the less probable because professions of amity continue to be made. It would be folly in France to declare it now, while America gives full employment to our arms, and is pouring into her lap her wealth and produce. While the trade of Great Britain languishes, while her taxes increase and her revenues diminish, France is securing and drawing to herself that commerce which is the basis of your power. My motion was stated generally, that I might leave the question at large to the wisdom of your lordships. But, my lords, I will tell you fairly what I wish for---I wish for a repeal of every oppressive act passed since 1763; I would put America precisely on the footing she stood at that period. If it be asked, Why should we submit to concede? I will tell you, my lords: Because you have been the aggressors from the beginning; you ought, therefore, to make the first overture. I say again, my lords, you have been the aggressors, you have made descents upon their coasts, you have burnt their towns, plundered

plundered their country, made war upon the inhabitants, confiscated their property, proscribed and imprisoned their persons; you have injured, oppressed, and endeavoured to enslave them. America is therefore entitled to redress. Let then reparation come from the hand that inflicted the injuries; let conciliation succeed to oppression; and I maintain, that parliament will again recover its authority; that his majesty will be once more enthroned in the hearts of his subjects; and that your lordships, as contributing to so great, benignant, and glorious an event, will receive the prayers and benedictions of every part of the British empire." The peers in administration repeated upon this occasion their accustomed arguments against concessions of any kind, as an acknowledgment of weakness on our part, which would excite the contempt of our friends, and foster the malice of our enemies. They positively denied any danger from France, and asserted, that "the assistance given to the Americans proceeded neither from the court nor the ministers, but from the spirit of military enterprise and commercial adventure; and finally, that the motion arraigned in the most improper terms measures which had received the sanction of parliament." On a division, the numbers were 99 to 28 peers who supported the question.

On the 7th of June the session was closed, and his majesty expressed in his speech his entire approbation of the conduct of parliament, lavishing upon them high and flattering compliments for the unquestionable proofs they had given of their clear discernment of the true interests of their country.

While these affairs were transacting in parliament, a memorial, in a very unusual style, was delivered by sir Joseph Yorke, ambassador at the Hague, to the states general, in which his excellency declared, "That the king, his master, had hitherto borne with unexampled patience the irregular conduct of the subjects of their high mightinesses, in their interested commerce at St. Eustatia, as also in America. If," said the ambassador, "the measures which your high mightinesses have thought proper to take, had been as efficacious as your assurances have been amicable,

cable, the undersigned would not now have been under the necessity of bringing to the cognizance of your high mightinesses, facts of the most serious nature." His excellency then proceeds to state, that M. Van Graaf, governor of St. Eustatia, had permitted the seizure of an English vessel, by an American pirate, within cannon shot of the island; and that he had returned from the fortress of his government the salute of a rebel flag: And the ambassador concludes, with demanding, in his majesty's name, and by his express order, from their high mightinesses, a formal disavowal of the salute by Fort Orange at St. Eustatia to the rebel ship, and the dismissal and immediate recall of the governor Van Graaf; declaring farther, that until such satisfaction is given, they are not to expect, that his majesty will suffer himself to be amused by mere assurances, or that he will delay one instant to take such measures as he shall think due to the interest and dignity of his crown.

The states, offended at the imperious language of this memorial, yet acting with their usual caution, did not condescend to give an answer to the British ambassador, but ordered count Welderen, their resident in London, to deliver into the king of England's own hand a counter-memorial, in which they complained of the menacing tone of the English court, such as ought not to take place between sovereign and independent powers; adding, however, "that, from the sole motive of demonstrating their regard to his majesty, they have actually despatched orders to M. Van Graaf, to render himself within the republic without delay, in order to give the necessary information respecting his conduct; nor do they scruple to disavow, in the most express manner, any act or mark of honour which may have been given by their officers to any vessels belonging to the colonies of America, so far as it may imply a recognition of American independence." The ministry pretended to be satisfied with this conduct, but secretly meditated a blow against the United Provinces on the very first favourable opportunity.—We return now to the most important scene of action, and resume

resume our narrative of the proceedings in America during the campaign of 1777.

Soon after the declaration of independence, the authority of congress was obtained for raising an army that would be more permanent than the temporary levies which they had previously brought into the field. It was at first proposed to recruit for the indefinite term of the war; but it being found on experiment that the habits of the people were averse to engagements for such an uncertain period of service, the recruiting officers were instructed to offer the alternative of either enlisting for the war, or for three years. Those who engaged on the first conditions, were promised a hundred acres of land in addition to their pay and bounty. The troops raised by congress for the service of the United States were called continentals. Though in September 1776, it had been resolved to raise 88 battalions, and in December following, authority was given to general Washington to raise 16 more, yet very little progress had been made in the recruiting business, till after the battles of Trenton and Princeton. Even after that period, so much time was necessarily consumed before these new recruits joined the commander in chief, that his whole force at Morristown, and the several out-posts, for some time did not exceed 1500 men; yet, what is almost incredible, these 1500 kept as many thousands of the British closely pent up in Brunswick. Almost every party that was sent out by the latter was successfully opposed by the former, and the adjacent country preserved in a great degree of tranquillity.

It was matter of astonishment, that the British suffered the dangerous interval between the disbanding of one army and the raising of another, to pass away without attempting something of consequence against the remaining shadow of an armed force. Hitherto there had been a deficiency of arms and ammunition, as well as of men; but in the spring of 1777, a vessel of 24 guns arrived from France at Portsmouth in New-Hampshire, with upwards of 11,000 stand of arms, and 1000 barrels of powder.

Ten thousand stand of arms arrived about the same time in another part of the United States.

Before the royal army took the field, in prosecution of the main business of the campaign, two enterprises for the destruction of American stores were undertaken, in an opposite direction to what proved eventually to be the theatre of the operations of sir William Howe. The first was conducted by colonel Bird, the second by major-general Tryon. The former, on March 23d, landed with about 500 men at Peek's Kill, near 50 miles from New-York. General Washington had repeatedly cautioned the commissaries not to suffer large quantities of provisions to be near the water, in such places as were accessible to shipping; but his prudent advice had not been regarded. The few Americans, who were stationed as a guard at Peek's Kill, on the approach of colonel Bird, fired the principal storehouses, and retired to a good position, about two or three miles distant. The loss of provisions, forage, and other valuable articles, was considerable.

Major-general Tryon, with a detachment of 2000 men, embarked at New-York, and passing through the Sound, on the 26th of April landed between Fairfield and Norwalk. They advanced through the country without interruption, and arrived in about twenty hours at Danbury. On their approach, the few continentals who were in the town withdrew from it. The British began to burn and destroy, but abstained from injuring the property of such as were reputed tories—18 houses, 800 barrels of pork and beef, 800 barrels of flour, 2000 bushels of grain, 1700 tents, and some other articles, were lost to the Americans. Generals Wooster, Arnold, and Silliman, having hastily collected a few hundred of the inhabitants, made arrangements for interrupting the march of the royal detachment, but the arms of those who came forward on this emergency, were injured by excessive rains, and the men were worn down with a march of 30 miles in the course of a day. Such dispositions were nevertheless made, and such advantageous posts were taken, as enabled them greatly to annoy the invaders when returning

turning to their ships. General Arnold, with about 500 men, by a rapid movement, reached Ridgefield in their front—barricadoed the road, kept up a brisk fire upon them, and sustained the attack, till they had made a lodgment on a ledge of rocks on his left. After the British had gained this eminence, a whole platoon levelled at general Arnold, not more than 30 yards distant: His horse was killed, but he escaped. While he was extricating himself from his horse, a soldier advanced to run him through with a bayonet, but he shot him dead with his pistol, and afterwards got off safe. The Americans, in several detached parties, harassed the rear of the British, and from various stands kept up a scattering fire upon them till they reached their shipping.

The British accomplished the object of the expedition, but it cost them dear. They had by computation 2 or 300 men killed, wounded, or taken. The loss of the Americans was about 20 killed, and 40 wounded. Among the former was Dr. Atwater, a gentleman of respectable character and considerable influence. Colonel Lamb was among the latter: General Woolster, though seventy years old, behaved with the vigour and spirit of youth. While gloriously defending the liberties of his country, he received a mortal wound. Congress resolved that a monument should be erected to his memory as an acknowledgment of his merit and service. They also resolved, that a horse, properly caparisoned, should be presented to general Arnold, in their name, as a token of their approbation of his gallant conduct.

Not long after the excursion to Danbury, colonel Meigs, an enterprising American officer, transported a detachment of about 170 Americans, in whale-boats, over the Sound, which separates Long Island from Connecticut, and burned twelve brigs and sloops belonging to the British, and destroyed a large quantity of forage and other articles, collected for their use in Sagg Harbour on that island; killed six of their soldiers, and brought off 90 prisoners, without having a single man either killed or wounded. The colonel and his party returned to Guilford in 25 hours from the time of their departure, having

having in that short space not only completed the object of their expedition, but traversed by land and water, a space not less than 90 miles. Congress ordered an elegant sword to be presented to colonel Meigs, for his good conduct in this expedition.

As the season advanced, the American army in New-Jersey was reinforced by the successive arrival of recruits; but nevertheless at the opening of the campaign it amounted only to 7272 men.

Great pains had been taken to recruit the British army with American levies. A commission of brigadier-general had been conferred on Mr. Oliver Delancey, a loyalist of great influence in New-York, and he was authorised to raise three battalions. Every effort had been made to raise the men both within and without the British lines, and also from among the American prisoners; but with all these exertions, only 597 were procured. Mr. Courtland Skinner, a loyalist well known in Jersey, was also appointed a brigadier, and authorised to raise five battalions. Great efforts were also made to procure recruits for his command, but their whole number amounted only to 517.

Towards the latter end of May, general Washington quitted his winter encampment at Morristown, and took a strong position at Middlebrook. Soon after this movement was effected, the British marched from Brunswick, and extended their van as far as Somerset Court-house, but in a few days returned to their former station. This sudden change was probably owing to the unexpected opposition which seemed to be collecting from all quarters, for the Jersey militia turned out in a very spirited manner to oppose them. Six months before, that same army marched through New Jersey, without being fired upon, and even small parties of them had safely patrolled the country at a distance from the camp; but experience having proved that British protections were no security for property, the inhabitants generally resolved to try the effects of resistance, in preference to a second submission. A fortunate mistake gave them an opportunity of assembling in great force on this emergency. Signals had been

agreed on, and beacons erected on high places, with the view of communicating over the country instantaneous intelligence of the approach of the British. A few hours before the royal army began their march, the signal of alarm, on the foundation of a false report, had been hoisted: The farmers, with arms in their hands, ran to the place of rendezvous from considerable distances: They had set out at least twelve hours before the British, and on their appearance were collected in formidable numbers. Whether sir William Howe intended to force his way through the country to the Delaware, and afterwards to Philadelphia, or to attack the American army, is uncertain; but whatever was his design, he thought proper suddenly to relinquish it and fall back to Brunswick. The British army, on their retreat, burned and destroyed the farm-houses on the road, nor did they spare those buildings which were dedicated to the service of the Deity.

Sir William Howe, after his retreat to Brunswick, endeavoured to provoke general Washington to an engagement, and left no manœuvre untried, that was calculated to induce him to quit his position. At one time he appeared as if he intended to push on without regarding the army opposed to him. At another he accurately examined the situation of the American encampment, hoping that some unguarded part might be found on which an attack might be made that would open the way to a general engagement: All these hopes were frustrated; general Washington knew the full value of his situation. He had too much penetration to lose it from the circumvention of military manœuvres, and too much temper to be provoked to a dereliction of it. He was well apprized that it was not the interest of his country to commit its fortune to a single action.

Sir William Howe suddenly relinquished his position in front of the Americans, and retired with his whole force to Amboy. The apparently retreating British were pursued by a considerable detachment of the American army, and general Washington advanced from Middlebrook to Quibbletown, to be near at hand for the support of his advanced parties. The British general immediately

mediately * marched his army back from Amboy, with great expedition, hoping to bring on a general action on equal ground; but he was disappointed. General Washington fell back, and posted his army in such an advantageous position, as compensated for the inferiority of his numbers. Sir William Howe was now fully convinced of the impossibility of compelling a general engagement on equal terms, and also satisfied that it would be too hazardous to attempt passing the Delaware, while the country was in arms, and the main American army in full force in his rear. He therefore returned to Amboy, and thence passed over to Staten Island, resolving to prosecute the objects of the campaign by another route. During the period of these movements, the real designs of general Howe were involved in great obscurity. Though the season for military operations was advanced as far as the month of July, yet his determinate object could not be ascertained. Nothing on his part had hitherto taken place, but alternately advancing and retreating. General Washington's embarrassment on this account was increased by intelligence which arrived, that Burgoyne was coming in great force towards New-York from Canada. Apprehending that sir William Howe would ultimately move up the North River, and that his movements, which looked southward, were calculated to deceive, the American general detached a brigade to reinforce the northern division of his army. Successive advices of the advance of Burgoyne favoured the idea that a junction of the two royal armies near Albany was intended. Some movements were therefore made by general Washington towards Peek's Kill, and on the other side towards Trenton, while the main army was encamped near the Clove, in readiness to march either to the north or south, as the movements of sir William Howe might require. At length the main body of the royal army, consisting of thirty-six British and Hessian battalions, with a regiment of light-horse, and a loyal provincial corps, called the Queen's Rangers, and a powerful artillery, amounting in

* June 24.

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the whole to about 16,000 men, departed from Sandy-hook, and were reported to steer southward. About the time of this embarkation, a letter from sir William Howe to general Burgoyne was intercepted. This contained intelligence that the British troops were destined to New-Hampshire. The intended deception was so superficially veiled, that in conjunction with the intelligence of the British embarkation, it produced a contrary effect. Within one hour after the reception of this intercepted letter, general Washington gave orders to his army to move to the southward, but he was nevertheless so much impressed with a conviction that it was the true interest of Howe to move towards Burgoyne, that he ordered the American army to halt for some time, at the river Delaware, suspecting that the apparent movement of the royal army to the southward was a feint calculated to draw him farther from the North River. The British fleet having sailed from Sandy-hook, were a week at sea before they reached Cape Henlopen. At this time and place, for reasons that do not obviously occur, general Howe gave up the idea of approaching Philadelphia, by ascending the Delaware, and resolved on a circuitous route by the way of the Chesapeak. Perhaps he counted on being joined by large reinforcements from the numerous tories in Maryland or Delaware, or perhaps he feared the obstructions which the Pennsylvanians had planted in the Delaware. If these were his reasons, he was mistaken in both: From the tories he received no advantage, and from the obstructions in the river, his ships could have received no detriment, if he had landed his troops at New-castle, which was 14 miles nearer Philadelphia than the head of Chesapeak Bay.

The British fleet, after they had left the capes of the Delaware, had a tedious and uncomfortable passage, being twenty days before they entered the capes of Virginia. They ascended the bay with a favourable wind, and on the 25th of August landed at Turkey Point. The circumstance of the British fleet putting out to sea, after they had looked into the Delaware, added to the apprehension before entertained, that the whole was a feint calculated

to draw the American army farther from the North River, so as to prevent their being at hand to oppose a junction between Howe and Burgoyne. Washington therefore fell back to such a middle station, as would enable him either speedily to return to the North River, or advance to the relief of Philadelphia. The British fleet, after leaving the capes of Delaware, were not heard of for near three weeks, except that they had once or twice been seen near the coast steering southward. A council of officers convened at Neshaminy, near Philadelphia, unanimously gave it as their opinion, that Charlestown, in South-Carolina, was most probably their object, and that it would be impossible for the army to march in season for its relief. It was therefore concluded to try to repair the loss of Charlestown, which was considered as unavoidable, either by attempting something on New-York island, or, by uniting with the northern army, to give more effectual opposition to Burgoyne. A small change of position, conformably to this new system, took place. The day before the above resolution was adopted, the British fleet entered the Chesapeak: The intelligence in a few days reached the American army, and dispelled that mist of uncertainty, in which general Howe's movements had been before enveloped. The American troops were put in motion to meet the British army: Their numbers on paper amounted to 14,000, but their real effective force, on which dependance might be placed in the day of battle, did not much exceed 8000 men. Every appearance of confidence was assumed by them as they passed through Philadelphia, that the citizens might be intimidated from joining the British. About the same time a number of the principal inhabitants of that city, being suspected of disaffection to the American cause, were taken into custody and sent to Virginia.

Soon after sir William Howe had landed his troops in Maryland, he put forth a declaration, in which he informed the inhabitants, that he had issued the strictest orders to the troops "for the preservation of regularity and good discipline, and that the most exemplary punishment should be inflicted upon those who should dare to plunder

the property, or molest the persons, of any of his majesty's well-disposed subjects." It seemed as if, fully apprized of the consequences which had resulted from the indiscriminate plunderings of his army in New-Jersey, he was determined to adopt a more politic line of conduct. Whatever his intentions might be, they were by no means seconded by his troops.

On the 3d of September, the royal army set out from the eastern heads of the Chesapeak, with a spirit which promised to compensate for the various delays which had hitherto wasted the campaign. Their tents and baggage were left behind, and they trusted their future accommodation to such quarters as their arms might procure. They advanced with boldness, till they were within two miles of the American army, which was then posted near Newport. General Washington soon changed his position, and took post on the high ground near Chadd's Ford, on the Brandywine Creek, with an intention of disputing the passage. It was the wish, but by no means the interest, of the Americans to try their strength in an engagement. Their regular troops were not only greatly inferior in discipline, but in numbers, to the royal army. The opinion of the inhabitants, though founded on no circumstances more substantial than their wishes, imposed a species of necessity on the American general to keep his army in front of the enemy, and to risque an action for the security of Philadelphia. Instead of this, had he taken the ridge of high mountains on his right, the British must have respected his numbers, and probably would have followed him up the country. In this manner the campaign might have been wasted away in a manner fatal to the invaders; but the bulk of the American people were so impatient of delays, and had such an overweening conceit of the numbers and prowess of their army, that they could not comprehend the wisdom and policy of manœuvres to shun a general engagement.

On this occasion, necessity dictated that a sacrifice should be made on the altar of public opinion. A general action was therefore hazarded; this took place on the 11th of September at Chadd's Ford, on the Brandywine,
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a small stream which empties itself into Christmas Creek, near its conflux with the river Delaware.

The royal army advanced at day-break in two columns, commanded by lieutenant-general Kniphausen, and by lord Cornwallis. The first took the direct road to Chadd's Ford, and made a show of passing it, in front of the main body of the Americans; at the same time the other column moved up on the west side of the Brandywine to its fork, and crossed both its branches about two o'clock in the afternoon, and then marched down on the east side of it, with the view of turning the right wing of their adversaries.

This they effected, and compelled them to retreat with great loss. General Kniphausen amused the Americans with the appearance of crossing the ford, but did not attempt it until lord Cornwallis having crossed above, and moved down on the opposite side, had commenced his attack. Kniphausen then crossed the ford, and attacked the troops posted for its defence. These, after a severe conflict, were compelled to give way. The retreat of the Americans soon became general, and was continued to Chester, under cover of general Weeden's brigade, which came off in good order. The final issue of battles often depends on small circumstances, which human prudence cannot control—one of these occurred here, and prevented general Washington from executing a bold design, to effect which, his troops were actually in motion. This was to have crossed the Brandywine, and attacked Kniphausen, while general Sullivan and lord Stirling should keep earl Cornwallis in check. In the most critical moment, general Washington received intelligence which he was obliged to credit, that the column of lord Cornwallis had been only making a feint, and was returning to join Kniphausen. This prevented the execution a plan, which, if carried into effect, would probably have given a different turn to the events of the day. The killed and wounded in the royal army were near six hundred; the loss of the Americans was twice that number. In the list of their wounded were two of their general officers, the marquis de la Fayette, and general Woodford. The former

former was a French nobleman of high rank, who, animated with the love of liberty, had left his native country, and offered his service to congress. While in France, and only nineteen years of age, he espoused the cause of the Americans with the most disinterested and generous ardour. Having determined to join them, he communicated his intentions to the American commissioners at Paris. They justly conceived, that a patron of so much importance would be of service to their cause, and encouraged his design. Before he had embarked from France, intelligence arrived in Europe, that the American insurgents, reduced to 2000 men, were fleeing through Jersey before a British force of 30,000. Under these circumstances, the American commissioners at Paris thought it but honest to dissuade him from the present prosecution of his perilous enterprise. It was in vain that they acted so candid a part; his zeal to serve a distressed country was not abated by her misfortunes. Having embarked in a vessel which he purchased for the purpose, he arrived in Charlestown early in 1777, and soon after joined the American army. Congress resolved, that "in consideration of his zeal, illustrious family and connexions, he should have the rank of major-general in their army." Independent of the risque he ran as an American officer, he hazarded his large fortune in consequence of the laws of France, and also the confinement of his person, in case of capture, when on his way to the United States, without the chance of being acknowledged by any nation; for his court had forbidden his proceeding to America, and had despatched orders to have him confined in the West Indies, if found in that quarter. This gallant nobleman, who under all these disadvantages had demonstrated his goodwill to the United States, received a wound in his leg at the battle of Brandywine; but he nevertheless continued in the field, and exerted himself both by word and example in rallying the Americans. Other foreigners of distinction also shared in the engagement. Count Pulaski, a Polish nobleman, the same who a few years before had carried off king Stanislaus from his capital, though surrounded with a numerous body of guards, and a Russian army,

army, fought with the Americans at Brandywine; he was a thunderbolt of war, and always sought for the post of danger as the post of honour. Soon after this engagement, congress appointed him commander of horse, with the rank of brigadier. Monsieur du Coudray, a French officer of high rank and great abilities, while on his way from Philadelphia to join the American army, about this time was drowned in the river Schuylkill. He rode into the flat-bottomed boat on a spirited mare, whose career he was not able to stop, and she went out at the farther end into the river with her rider on her back.

The evening after the battle of Brandywine, a party of the British went to Wilmington, and took president M^cKinley prisoner. They also took possession of a shallop, loaded with the most valuable effects of the inhabitants.

General Howe persevered in this scheme of gaining the right flank of the Americans. This was no less steadily pursued on the one side, than avoided on the other. Washington came forward in a few days with a resolution of risking another action. He accordingly advanced as far as the Warren Tavern on the Lancaster road. Near that place both armies were on the point of engaging with their whole force, but were prevented by a most violent storm of rain*, which continued for a whole day and night. When the rain ceased, the Americans found that their ammunition was entirely ruined; they therefore withdrew to a place of safety. Before a proper supply was procured, the British marched from their position near the White Horse Tavern, down towards the Swedes Ford. The Americans again took post in their front; but the British, instead of urging an action, began to march up towards Reading. To save the stores which had been deposited in that place, Washington took a new position, and left the British in undisturbed possession of the roads which lead to Philadelphia. His troops were worn down with a succession of severe duties; there were in his army above a thousand men who were barefooted, and who had performed all their late movements in that condition. About

* September 18.

This time the Amerians sustained a considerable loss by a night attack, conducted by general Grey, on a detachment of their troops, which was encamped near the Paoli Tavern. The outposts and pickets were forced without noise about one o'clock in the morning of the 20th of September. The men had scarcely time to turn out, and when they did, they unfortunately paraded in the light of their fires; this directed the British how and where to proceed; they rushed in upon them, and put about 300 to death in a silent manner by a free and exclusive use of the bayonet. The enterprise was conducted with so much address, that the loss of the assailants did not exceed eight.

Congress, which after a short residence at Baltimore had returned to Philadelphia, were obliged a second time to consult their safety by flight. They retired at first to Lancaster, and afterwards to York-Town.

The bulk of the British army being left in German-Town, sir William Howe, with a small part, on the 26th of September, made his triumphal entry into Philadelphia, and was received with the hearty welcome of numerous citizens, who either from conscience, cowardice, interest, or principle, had hitherto separated themselves from the class of active whigs.

The possession of the largest city in the United States, together with the dispersion of that grand council which had hitherto conducted their public affairs, were accounted by the short-sighted as decisive of their fate. The submission of countries, after the conquest of their capital, had often been a thing of course; but in the great contest for the sovereignty of the United States, the question did not rest with a ruler, or a body of rulers, nor was it to be determined by the possession or loss of any particular place. It was the public mind, the sentiments and opinions of the yeomanry of the country, which were to decide. Though Philadelphia had become the residence of the British army, yet, as long as the bulk of the people of the United States were opposed to their government, the country was unsubdued. Indeed it was presumed by the more discerning politicians, that the luxuries of a

great

great city would so far enervate the British troops as to indispose them from those active exertions to which they were prompted, while inconveniently encamped in the open country.

To take off the impression the British successes might make in France to the prejudice of America, Dr. Franklin gave them an ingenious turn, by observing, "that instead of saying sir William Howe had taken Philadelphia, it would be more proper to say, Philadelphia had taken sir William Howe."

One of the first objects of the British after they had got possession, was to erect batteries to command the river, and to protect the city from any insult by water. The British shipping were prevented from ascending the Delaware, by obstructions, which were fixed near Mud Island. Philadelphia, though possessed by the British army, was exposed to danger from the American vessels in the river. The American frigate Delaware, of 32 guns, anchored within 500 yards of the unfinished batteries, and being seconded by some smaller vessels, commenced a heavy cannonade upon the batteries and town; but upon the falling of the tide she ran aground. Being briskly fired upon from the town, while in this condition, she was soon compelled to surrender. The other American vessels, not able to resist the fire from the batteries, after losing one of their number, retired.

General Washington having been reinforced by 2500 men from Peek's Kill and Virginia; and having been informed that general Howe had detached a considerable part of his force for reducing the forts on the Delaware, conceived a design of attacking the British post at German-Town. Their line of encampment crossed the town at right angles near its centre; the left wing extended to the Schuylkill, and was covered in front by the mounted and dismounted chasseurs. The queen's American rangers and a battalion of light-infantry were in front of the right. The 40th regiment, with another battalion of light-infantry, were posted on the Chestnut Hill road, three quarters of a mile in advance. Lord Cornwallis lay at Philadelphia, with four battalions of grenadiers. A few of the general officers of the American army, whose advice

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was requested on the occasion, unanimously recommended an attack; and it was agreed that it should be made in different places, to produce the greater confusion, and to prevent the several parts of the British forces from affording support to each other. From an apprehension that the Americans, from the want of discipline, would not persevere in a long attack, it was resolved that it should be sudden and vigorous, and if unsuccessful to make an expeditious retreat. The divisions of Sullivan and Wayne, flanked by Conway's brigade, were to enter the town by the way of Chesnut Hill, while general Armstrong with the Pennsylvania militia should fall down the Manatawny road, and gain the left and rear of the British. The divisions of Greene and Stephens, flanked by M'Dougal's brigade, were to enter by the Lime Kiln road. The militia of Maryland and Jersey, under generals Smallwood and Furman, were to march by the Old York road, and to fall upon the rear of their right.

Lord Stirling, with Nashe's and Maxwell's brigade, were to form a corps de reserve. The Americans began their attack about sun-rise on the 4th of October, on the 40th regiment and a battalion of light-infantry. These two corps being obliged to retreat, were pursued into the village. On their retreat lieutenant-colonel Musgrove with six companies took post in Mr. Chew's strong stone house, which lay in front of the Americans. From an adherence to the military maxim of never leaving a fort possessed by an enemy in the rear, it was resolved to attack the party in the house.

In the mean time, general Greene got up with his column, and attacked the right wing. Colonel Matthews routed a party of the British opposed to him, killed several, and took 110 prisoners, but from the darkness of the day lost sight of the brigade to which he belonged, and having separated from it, was taken prisoner with his whole regiment, and the prisoners which he had previously taken were released. A number of the troops in Greene's division were stopped by the halt of the party before Chew's house. Near one half of the American army remained for some time at that place inactive. In the mean time, general Grey led on three battalions of

the

the third brigade, and attacked with vigour; a sharp contest followed. Two British regiments attacked at the same time on the opposite side of the town. General Grant moved up the 49th regiment to the aid of those who were engaged with Greene's column.

The morning was extremely foggy.—This, by concealing the true situation of the parties, occasioned mistakes, and made so much caution necessary, as to give the British time to recover from the effects of their first surprise. From these causes the early promising appearances on the part of the assailants were speedily reversed. The Americans left the field hastily, and all efforts to rally them were ineffectual. Lord Cornwallis arrived with a party of light-horse, and joined in the pursuit; this was continued for some miles. The loss of the royal army, including the wounded and prisoners, was about 500. Among their slain were brigadier-general Agnew, and lieutenant-colonel Bird. The loss of the Americans, including 400 prisoners, was about 1000. Among their slain were general Nash and his aid-de-camp major Witherpoon.

Soon after this battle the British left German-Town, and turned their principal attention towards opening a free communication between their army and their shipping.

Much industry and ingenuity had been exerted for the security of Philadelphia on the water side. Thirteen galleys, two floating batteries, two zebuques, one brig, one ship, besides a number of armed boats, fire-ships, and rafts, were constructed or employed for this purpose. The Americans had also built a fort on Mud Island, to which they gave the name of Fort Mifflin, and erected there a considerable battery. This island is admirably situated for the erection of works to annoy shipping on their way up the Delaware. It lies near the middle of the river, about seven miles below Philadelphia: No vessels of burden can come up but by the main ship channel, which passes close to Mud Island, and is very narrow for more than a mile below. Opposite to Fort Mifflin there is a height, called Red Bank; this overlooks not only the river, but the neighbouring country: On this eminence

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a respectable battery was erected. Between these two fortresses, which are half a mile distant from each other, the American naval armament for the defence of the river Delaware made their harbour of retreat. Two ranges of chevaux de frise were also sunk into the channel. These consisted of large pieces of timber strongly framed together, in the manner usual for making the foundation of wharfs in deep water. Several large points of bearded iron projecting down the river were annexed to the upper parts of these chevaux de frise, and the whole was sunk with stones, so as to be about four feet under the water at low tide. Their prodigious weight and strength could not fail to effect the destruction of any vessel which came upon them. Thirty of these machines were sunk about 300 yards below Fort Mifflin, so as to stretch in a diagonal line across the channel. The only open passage left was between two piers lying close to the fort, and that was secured by a strong boom, and could not be approached but in a direct line to the battery. Another fortification was erected on a high bank on the Jersey shore, called Billingsport; and opposite to this, another range of chevaux de frise was deposited, leaving only a narrow and shoal channel on the one side. There was also a temporary battery of two heavy cannon at the mouth of Mantua Creek, about half way from Red Bank to Billingsport. The British were well apprized, that, without the command of the Delaware, their possession of Philadelphia would be of no advantage. They therefore strained every nerve to open the navigation of that river. To this end lord Howe had early taken the most effectual measures for conducting the fleet and transports round from Chesapeak to the Delaware, and drew them up on the Pennsylvania shore, from Reedy Island to Newcastle. Early in October a detachment from the British army crossed the Delaware, with a view of dislodging the Americans from Billingsport. On their approach the place was evacuated. As the season advanced, more vigorous measures for removing the obstructions were concerted between the general and the admiral. Batteries were erected on the Pennsylvania shore to assist in dislodging the Americans from Mud Island. At the same time count Donop with 200 men, having crossed into

into New-Jersey, opposite to Philadelphia, marched down on the eastern side of the Delaware, to attack the redoubt at Red Bank. This was defended by about 400 men under the command of colonel Greene. The attack immediately commenced by a smart cannonade, under cover of which the count advanced to the redoubt. This place was intended for a much larger garrison than was then in it; it had therefore become necessary to run a line in the middle thereof, and one part of it was evacuated. That part was easily carried by the assailants, on which they indulged in loud huzzas for their supposed victory. The garrison kept up a severe well-directed fire on the assailants, by which they were compelled to retire. They suffered not only in the assault, but in the approach to, and retreat from the fort. Their whole loss in killed and wounded was about 400; count Donop was mortally wounded and taken prisoner. Congress resolved to present colonel Greene with a sword for his good conduct on this occasion. An attack made about the same time on Fort Mifflin by men of war and frigates was not more successful than the assault on Red Bank. The Augusta man of war of 64 guns, and the Merlin, two of the vessels which were engaged in it, got around: The former was fired and blew up; the latter was evacuated.

Though the first attempts of the British for opening the navigation of the Delaware were unsuccessful, they carried their point in another way that was unexpected. The chevaux de frise having been sunk some considerable time, the current of the water was diverted by this great bulk into new channels; in consequence of which the passage between the islands and the Pennsylvania shore was so deepened, as to admit vessels of some considerable draught of water. Through this passage, the Vigilant, a large ship, cut down so as to draw but little water, mounted with 24-pounders, made her way to a position from which she might enfilade the works on Mud Island. This gave the British such an advantage, that the post was no longer tenable. Colonel Smith, who had with great gallantry defended the fort from the latter end of September to the 11th of November, being wounded, was

removed to the main. Within five days after his removal, major Thayer, who as a volunteer had nobly offered to take charge of this dangerous post, was obliged to evacuate it.

This event did not take place till the works were entirely beaten down, every piece of cannon dismounted, and one of the British ships so near that she threw grenades into the fort, and killed the men uncovered in the platform. The troops who had so bravely defended Fort Mifflin, made a safe retreat to Red Bank. Congress voted swords to be given to lieutenant-colonel Smith and commodore Hazlewood, for their gallant defence of the Delaware. Within three days after Mud Island was evacuated, the garrison was also withdrawn from Red Bank, on the approach of lord Cornwallis at the head of a large force prepared to assault it. Some of the American galleys and armed vessels escaped, by keeping close in with the Jersey shore, to places of security above Philadelphia; but 17 of them were abandoned by their crews and fired. Thus the British gained a free communication between their army and shipping. This event was to them very desirable. They had been previously obliged to draw their provisions from Chester, a distance of sixteen miles, at some risque, and a certain great expense. The long-protracted defence of the Delaware deranged the plans of the British for the remainder of the campaign, and consequently saved the adjacent country.

About this time the chair of congress became vacant by the departure of Mr. Hancock, after he had discharged the duties of that office to great satisfaction two years and five months. Henry Laurens, of South-Carolina, was unanimously elected his successor. He had been in England for some years antecedent to the hostile determinations of parliament against the colonies; but finding the dispute growing serious, he conceived that honour and duty called him to take part with his native country. He had been warmly solicited to stay in England, and offers were made him not only to secure, but to double his American estate, in case of his continuing to reside there: But these were refused. To a particular friend in London,

don, dissuading him from coming out to America, he replied, on the 9th of Nov. 1774, when at Falmouth on the point of embarking, "I shall never forget your friendly attention to my interest, but I dare not return. Your ministers are deaf to information, and seem bent on provoking unnecessary contest. I think I have acted the part of a faithful subject: I now go resolved still to labour for peace; at the same time determined in the last event to stand or fall with my country."

Immediately on his arrival in Charlestown, he was elected a member, and soon after, the president of the provincial congress; the president of the council of safety; the vice president of the state; and a member of congress.

While sir William Howe was succeeding in every enterprise in Pennsylvania, a fatal reverse of fortune took place in the north, to which it will not be improper, at this period of our narrative, to direct the reader's attention.

To effect a free communication between New-York and Canada, and to maintain the navigation of the intermediate lakes, was a principal object with the British for the campaign of 1777. The Americans, presuming on this, had been early attentive to their security in that quarter. They had resolved to construct a fort on Mount Independence, which is an eminence adjoining the strait on which Ticonderoga stands, and nearly opposite to that fortress. They had also resolved to obstruct the navigation of the strait by cascoons, to be sunk in the water, and joined so as to serve at the same time for a bridge between the fortifications on the east and west side of it; and that, to prevent the British from drawing their small craft over land into Lake George, the passage of that lake should be obstructed; that Fort Schuyler, the same which had formerly been called Fort Stanwix, should be strengthened, and other fortifications erected near the Mohawk river. Requisitions were made by the commanding officer in the department for 13,600 men, as necessary for the security of this district. The adjacent states were urged to fill up their recruits, and in all respects to be in readiness for an active campaign.

The British ministry were very sanguine in their hopes, from the consequences of forming a line of communication between New-York and Canada. They considered the New-England people to be the soul of the confederacy, and promised themselves much by severing them from all free communication with the neighbouring states. They hoped, when this was accomplished, to be able to surround them so effectually with fleets and armies, and Indian allies, as to compel them to submission. Animated with these expectations, they left nothing undone which might ensure the success of the plans they had formed for this purpose.

The regular troops, British and German, allotted to this service, were upwards of 7000. As artillery is considered to be particularly useful in the American wars; where numerous inhabitants are to be driven out of woods and fastnesses, this part of the service was particularly attended to. The brass train that was sent out, was perhaps the finest, and the most excellently supplied, both as to officers and men, that had ever been allotted to second the operations of an equal force. In addition to the regulars, it was supposed that the Canadians and the loyalists, in the neighbouring states, would add large reinforcements, well calculated for the peculiar nature of the service. Arms and accoutrements were accordingly provided to supply them. Several nations of savages had also been induced to take up the hatchet, as allies to his Britannic majesty.

The vast force destined for this service was put under the command of lieutenant-general Burgoyne, an officer whose abilities were well known, and whose spirit of enterprise and ardour for military fame could not be exceeded. He was supported by major-general Philips of the artillery, who had established a solid reputation by his good conduct during the late war in Germany, and by major-general Reidesel and brigadier-general Specht of the German troops, together with the British generals Frazer, Powell, and Hamilton, all officers of distinguished merit.

The British had also undisputed possession of the navigation of Lake Champlain. The marine force there, with which in the preceding campaign they had destroyed the American shipping on the lakes, was not only entire but unopposed.

A considerable force was left in Canada for its internal security, and sir Guy Carleton's military command was restricted to the limits of that province. Though the British ministry attributed the preservation of Canada to his abilities in 1775 and 1776, yet, by their arrangements for the year 1777, he was only called upon to act a secondary part, in subserviency to the grand expedition committed to general Burgoyne.

The plan of the British for their projected irruption into the north-western frontier of New-York, consisted of two parts. General Burgoyne, with the main body, was to advance by the way of Lake Champlain, with positive orders, as has been said, to force his way to Albany, or at least so far as to effect a junction with the royal army from New-York. A detachment was to ascend the river St. Lawrence, as far as Lake Ontario, and from that quarter to penetrate towards Albany, by the way of the Mohawk river. This was put under the command of lieutenant-colonel St. Leger, and consisted of about 200 British troops, a regiment of New-York loyalists raised and commanded by sir John Johnson, and a large body of savages. Lieutenant-general Burgoyne arrived in Quebec on the 6th of May, and exerted all diligence to prosecute in due time the objects of the expedition. On the 20th of June he proceeded up Lake Champlain, and on the 21st landed near Crown Point. At this place he met the Indians, gave them a war feast, and made a speech to them. This was well calculated to excite them to take part with the royal army, but at the same time to repress their barbarity. He pointedly forbade them to shed blood when not opposed in arms, and commanded that aged men, women, children, and prisoners, should be held sacred from the knife and the hatchet, even in the heat of actual conflict. A reward was promised for prisoners, and a severe inquiry threatened for scalps, though permission

was

was granted to take them from those who were previously killed in fair opposition. These restrictions were not sufficient, as will appear in the sequel, to restrain their barbarities. The Indians having decidedly taken part with the British army, general Burgoyne issued a proclamation, calculated to spread terror among the inhabitants. The numbers of his Indian associates were magnified, and their eagerness to be let loose to their prey described in high-sounding words. The force of the British armies and fleets prepared to crush every part of the revolted colonies, was also displayed in pompous language. Encouragement and employment were promised to those who should assist in the re-establishment of legal government, and security held out to the peaceable and industrious, who continued in their habitations. All the calamities of war, arrayed in their most terrific forms, were denounced against those who should persevere in a military opposition to the royal forces.

General Burgoyne advanced with his army in a few days to Crown Point*. At this place he issued orders, of which the following words are a part: "The army embarks to-morrow to approach the enemy. The services required on this expedition are critical and conspicuous. During our progress occasions may occur, in which, nor difficulty, nor labour, nor life, are to be regarded. This army must not retreat." From Crown Point the royal army proceeded to invest Ticonderoga. On their approach to it, they advanced with equal caution and order on both sides of the lake, while their naval force kept in its centre. Within a few days they had surrounded three-fourths of the American works at Ticonderoga and Mount Independence, and had also advanced a work on Sugar Hill which commands both, so far towards completion, that in 24 hours it would have been ready to open. In these circumstances general St. Clair, the commanding officer, resolved to evacuate the post at all events; but conceiving it prudent to take the sentiments of the general officers, he called a council of

* June 30.

war on the occasion. It was represented to this council, that their whole numbers were not sufficient to man one half of the works, and that as the whole must be on constant duty, it would be impossible for them to sustain the necessary fatigue for any length of time, and that as the place would be completely invested on all sides within a day, nothing but an immediate evacuation of the posts could save their troops.

The assumption of confident appearances in the garrison had induced their adversaries to proceed with great caution. While from this cause they were awed into respect, the evacuation was completed with so much secrecy and expedition, that a considerable part of the public stores was saved, and the whole would have been embarked, had not a violent gale of wind which sprung up in the night prevented the boats from reaching their station.

The retreating army embarked as much of their baggage and stores as they had any prospect of saving on board batteaux, and despatched them under convoy of five armed gallies to Skenesborough. Their main body took its route towards the same place by way of Castleton. The British were no sooner apprized of the retreat of the Americans than they pursued them. General Frazer, at the head of the light troops, advanced on their main body. Major-general Reidesel was also ordered, with the greater part of the Brunswick troops, to march in the same direction. General Burgoyne in person conducted the pursuit by water. The obstructions to the navigation not having been completed, were soon cut through. The two frigates, the Royal George and the Inflexible, together with the gun-boats, having effected their passage, pursued with so much rapidity, that in the course of a day the gun-boats came up with and attacked the American gallies near Skenesborough Falls. On the approach of the frigates all opposition ceased; two of the gallies were taken and three blown up. The Americans set fire to their works, mills, and batteaux. They were now left in the woods destitute of provisions: In this forlorn situation they made their escape up Wood Creek to Fort Anne. Brigadier Frazer pursued the retreating Americans; came

was granted to take them from those who were previously killed in fair opposition. These restrictions were not sufficient, as will appear in the sequel, to restrain their barbarities. The Indians having decidedly taken part with the British army, general Burgoyne issued a proclamation, calculated to spread terror among the inhabitants. The numbers of his Indian associates were magnified, and their eagerness to be let loose to their prey described in high-sounding words. The force of the British armies and fleets prepared to crush every part of the revolted colonies, was also displayed in pompous language. Encouragement and employment were promised to those who should assist in the re-establishment of legal government, and security held out to the peaceable and industrious, who continued in their habitations. All the calamities of war, arrayed in their most terrific forms, were denounced against those who should persevere in a military opposition to the royal forces.

General Burgoyne advanced with his army in a few days to Crown Point*. At this place he issued orders, of which the following words are a part: "The army embarks to-morrow to approach the enemy. The services required on this expedition are critical and conspicuous. During our progress occasions may occur, in which, nor difficulty, nor labour, nor life, are to be regarded. This army must not retreat." From Crown Point the royal army proceeded to invest Ticonderoga. On their approach to it, they advanced with equal caution and order on both sides of the lake, while their naval force kept in its centre. Within a few days they had surrounded three-fourths of the American works at Ticonderoga and Mount Independence, and had also advanced a work on Sugar Hill which commands both, so far towards completion, that in 24 hours it would have been ready to open. In these circumstances general St. Clair, the commanding officer, resolved to evacuate the post at all events; but conceiving it prudent to take the sentiments of the general officers, he called a council of

* June 30.

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came up with, and on the 7th of July attacked their rear-guard at Hubbordton. In the course of the engagement he was joined by the German troops commanded by general Reidesel. The Americans commanded by colonel Warner made a gallant resistance, but after sustaining considerable loss, were obliged to give way. Lieut. colonel Hall, with the ninth British regiment, was detached from Skenesborough by general Burgoyne, to take post near Fort Anne. An engagement ensued between this regiment and a few Americans; but the latter, after a conflict of two hours, fired the fort, and retreated to Fort Edward. The destruction of the gallies and batteaux of the Americans at Skenesborough, and the defeat of their rear, obliged general St. Clair, in order to avoid being between two fires, to change the route of his main body, and to turn off from Castleton to the left. After a fatiguing and distressing march of seven days, he joined general Schuyler at Fort Edward. Their combined forces, inclusive of the militia, not exceeding in the whole 4400 men, were not long after, on the approach of general Burgoyne, compelled to retire farther into the country bordering on Albany. Such was the rapid torrent of success, which in this period of the campaign swept away all opposition from before the royal army, which, after these successes, continued for some days in Skenesborough, waiting for their tents, baggage, and provision.

In the mean time general Burgoyne put forth a proclamation, in which he called on the inhabitants of the adjacent towns to send a deputation of ten or more persons from their respective townships, to meet colonel Skene at Castleton, on the 15th of July. The troops were at the same time busily employed in opening a road, and clearing a creek, to favour their advance, and to open a passage for the conveyance of their stores. A party of the royal army which had been left behind at Ticonderoga, was equally industrious in carrying gun-boats, provision, vessels, and batteaux over land, into Lake George. An immensity of labour in every quarter was necessary; but, animated as they were with past successes and future hopes, they disregarded toil and danger.

From

From Skenesborough general Burgoyne directed his course across the country to Fort Edward, on Hudson's River. Though the distance in a right line from one to the other is but a few miles, yet such is the impracticable nature of the country, and such were the artificial difficulties thrown in his way, that nearly as many days were consumed as the distance passed over in a direct line would have measured in miles. The Americans under the direction of general Schuyler had cut large trees on both sides of the road, so as to fall across with their branches interwoven. The face of the country was likewise so broken with creeks and marshes, that they had no less than forty bridges to construct, one of which was a log-work over a morass, two miles in extent. This difficult march might have been avoided, had general Burgoyne fallen back from Skenesborough to Ticonderoga, and thence proceeded by Lake George; but he declined this route, from an apprehension that a retrograde motion on his part would abate the panic of the enemy. He had also a suspicion that some delay might be occasioned by the American garrison at Fort George, as, in case of his taking that route, they might safely continue to resist to the last extremity, having open in their rear a place of retreat. On the other hand it was presumed, that as soon as they knew that the royal army was marching in a direction which was likely to cut off their retreat, they would consult their safety by a seasonable evacuation. In addition to these reasons he had the advice and persuasion of colonel Skene. That gentleman had been recommended to him as a person proper to be consulted; his land was so situated, that the opening of a road between Fort Edward and Skenesborough would greatly enhance its value. This circumstance might have made him more urgent in his recommendations of that route, especially as, being the shortest, it bid fair for uniting the royal interest with private convenience. The opinion formed by general Burgoyne of the effect of his direct movement from Skenesborough to Fort Edward on the American garrison, was verified by the event; for being apprehensive of having their retreat cut off, they abandoned their fort and burnt their

their vessels. The navigation of Lake George being therefore left free, provisions and ammunition were brought forward from Fort George to the first navigable parts of Hudson's River: This is a distance of fifteen miles, and the roads of difficult passage. The intricate combination of land and water carriage, together with the insufficient means of transportation, and excessive rains, caused such delays, that at the end of fifteen days there were not more than four days' provisions brought forward, nor above ten batteaux in the river. The difficulties of this conveyance, as well as of the march through the wilderness from Skenesborough to Fort Edward, were encountered and overcome by the royal army with a spirit and alacrity which could not be exceeded. At length, on the 30th of July, after incredible fatigue and labour, general Burgoyne and the army under his command reached Fort Edward, on Hudson's River. Their exultation on accomplishing what for a long time had been the object of their hopes, was unusually great.

While the British were retarded in their advance by the combined difficulties of nature and art, events took place, which proved the wisdom and propriety of the retreat from Ticonderoga. The army saved by that means, was between the inhabitants and general Burgoyne; this abated the panic of the people, and became a centre of rendezvous for them to repair to: On the other hand, had they stood their ground at Ticonderoga, they must in the ordinary course of events, in a short time, either have been cut to pieces, or surrendered themselves prisoners of war.

From the adoption of that measure very different events took place. In a few days after the evacuation, general Schuyler issued a proclamation, calling to the minds of the inhabitants the late barbarities and desolations of the royal army in Jersey; warning them that they would be dealt with as traitors if they joined the British, and requiring them with their arms to repair to the American standard. Numerous parties were also employed in bringing off public stores, and in felling trees, and throwing obstructions in the way of the advancing

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BARLOW. VOL. II. p. 365.
Murder of Miss Mc Crea.

vancing royal army. At first an universal panic intimidated the inhabitants, but they soon recovered: The laws of self-preservation operated in their full force, and diffused a general activity through the adjacent states. The formalities of convening, draughting, and officering the militia, were in many instances dispensed with. Hundreds seized their firelocks, and marched on the general call, without waiting for the orders of their immediate commanders. The inhabitants had no means for security, but to abandon their habitations and take up arms; every individual saw the necessity of becoming a temporary soldier. The terror excited by the Indians, instead of disposing the inhabitants to court British protection, had a contrary effect. The friends of the royal cause, as well as its enemies, suffered from their indiscriminate barbarities. Among other instances, the murder of Miss M'Crea excited an universal horror. This young lady, in the innocence of youth, and the bloom of beauty, the daughter of a steady loyalist, and engaged to be married to a British officer, was, on the very day of her intended nuptials, massacred by the savage auxiliaries attached to the British army*. Occasion was thereby given to inflame the populace, and to blacken the royal cause. The cruelties of the Indians, and the cause in which they were engaged, were associated together, and

* This, though true, was no premeditated barbarity. The circumstances were as follows: Mr. Jones, her lover, from an anxiety for her safety, engaged some Indians to remove her from among the Americans, and promised to reward the person who should bring her safe to him, with a barrel of rum. Two of the Indians, who had conveyed her some distance, on the way to her intended husband, disputed which of them should present her to Mr. Jones. Both were anxious for the reward. One of them killed her with his tomahawk, to prevent the other from receiving it. Burgoyne obliged the Indians to deliver up the murderer, and threatened to put him to death. His life was only spared upon the Indians agreeing to terms, which the general thought would be more efficacious than an execution, in preventing similar mischiefs.

presented in one view to the alarmed inhabitants. Those whose interest it was to draw forth the militia in support of American independence, strongly expressed their execrations of the army which submitted to accept of Indian aid; and they loudly condemned that government which could call such auxiliaries into a civil contest, as were calculated not to subdue, but to exterminate a people whom they affected to reclaim as subjects. Their cruel mode of warfare, by putting to death as well the smiling infant and the defenceless female, as the resisting armed man, excited an universal spirit of resistance. In conjunction with other circumstances, it impressed on the minds of the inhabitants a general conviction that a vigorous, determined opposition was the only alternative for the preservation of their property, their children, and their wives. Could they have indulged the hope of security and protection while they remained peaceably at their homes, they would have found many excuses for declining to assume the profession of soldiers; but when they contrasted the dangers of a manly resistance with those of a passive inaction, they chose the former as the least of two unavoidable evils. All the feeble aid which the royal army received from their Indian auxiliaries, was infinitely overbalanced by the odium it brought on their cause, and by that determined spirit of opposition which the dread of their savage cruelties excited. While danger was remote, the pressing calls of congress and of the general officers, for the inhabitants to be in readiness to oppose a distant foe, were unavailing, or tardily executed; but no sooner had they recovered from the first impression of the general panic, than they turned out with unexampled alacrity. The owners of the soil came forward with that ardour, which the love of dear connections and of property inspires. An army was speedily poured forth from the woods and mountains. When they who had begun the retreat were nearly wasted away, the spirit of the country immediately supplied their place with a much greater and more formidable force. In addition to these incitements, it was early conjectured, that the royal army, by pushing forward, would be so entangled

tangled as not to be able to advance or retreat on equal terms. Men of abilities and of eloquence, influenced with this expectation, harangued the inhabitants in their several towns, and set forth in high colouring the cruelties of the savage auxiliaries of Great Britain, and the fair prospects of capturing the whole force of their enemies. From the combined influence of these causes, the American army soon amounted to upwards of 13,000 men.

While general Burgoyne was forcing his way down towards Albany, lieutenant-colonel St. Leger was co-operating with him in the Mohawk country. He had ascended the river St. Lawrence, crossed Lake Ontario, and commenced the siege of Fort Schuyler. On the approach of this detachment of the royal army, general Harkimer collected about 800 of the whig militia of the parts adjacent for the relief of the garrison.

St. Leger, aware of the consequences of being attacked in his trenches, detached sir John Johnson, with some Tories and Indians to lie in ambush, and intercept the advancing militia. The stratagem took effect: The general and his militia were surprised*, but several of the Indians were nevertheless killed by their fire. A scene of confusion followed. Some of Harkimer's men ran off, but others posted themselves behind logs, and continued to fight with bravery and success. The loss on the side of the Americans was 160 killed, besides the wounded. Among the former was their gallant leader general Harkimer. Several of their killed and wounded were principal inhabitants of that part of the country. Colonel St. Leger availed himself of the terror excited on this occasion, and endeavoured by strong representations of Indian barbarity to intimidate the garrison into an immediate surrender. He sent verbal and written messages, "demanding the surrender of the fort, and stating the impossibility of their obtaining relief, as their friends under general Harkimer were entirely cut off, and as general Burgoyne had forced his way through the country,

* August 6.

and was daily receiving the submission of the inhabitants." He represented "the pains he had taken to soften the Indians, and to obtain engagements from them, that in case of an immediate surrender every man in the garrison should be spared;" and particularly enlarged on the circumstance, "that the Indians were determined, in case of their meeting with farther opposition, to massacre not only the garrison, but every man, woman, or child, in the Mohawk country." Colonel Gansevoort, who commanded in the fort, replied, "that being by the United States entrusted with the charge of the garrison, he was determined to defend it to the last extremity against all enemies whatever, without any concern for the consequences of doing his duty."

It being resolved, notwithstanding the threats of Indian barbarities, to defend the fort, lieutenant-colonel Willet undertook, in conjunction with lieutenant Stockwell, to give information to their fellow-citizens of the state of the garrison. These two adventurous officers passed by night through the besiegers' works, and at the hazard of falling into the hands of savages, and suffering from them the severity of torture, made their way for fifty miles through dangers and difficulties, in order to procure relief for their besieged associates. In the mean time, the British carried on their operations with such industry, that in less than three weeks they had advanced within 150 yards of the fort.

The brave garrison, in its hour of danger, was not forgotten. General Arnold, with a brigade of continental troops, had been previously detached by general Schuyler for their relief, and was then near at hand. Mr. Tost Schuyler, who had been taken up by the Americans, on suspicion of his being a spy, was promised his life and his estate, on condition that he should go and alarm the Indians with such representations of the numbers marching against them, as would occasion their retreat. He immediately proceeded to the camp of the Indians, and being able to converse in their own language, informed them that vast numbers of hostile Americans were near at hand. They were thoroughly frightened, and deter-

determined to go off. St. Leger used every art to retain them; but nothing could change their determination. It is the characteristic of these people, on a reverse of fortune to betray irresolution, and a total want of that constancy which is necessary to struggle for a length of time with difficulties. They had found the fort stronger and better defended than was expected; they had lost several headmen in their engagement with general Harkimer, and had gotten no plunder. These circumstances, added to the certainty of the approach of a reinforcement to their adversaries, which they believed to be much greater than it really was, made them quite untractable. Part of them instantly decamped, and the remainder threatened to follow, if the British did not immediately retreat. This measure was adopted, and the siege raised. From the disorder occasioned by the precipitancy of the Indians, the tents, and much of the artillery and stores of the besiegers, fell into the hands of the garrison*. The discontented savages, exasperated by their ill fortune, are said, on their retreat, to have robbed their British associates of their baggage and provisions.

While the fate of Fort Schuyler was in suspense, it occurred to general Burgoyne, on hearing of its being besieged, that a sudden and rapid movement forward would be of the utmost consequence. As the principal force of his adversaries was in front between him and Albany, he hoped, by advancing on them, to reduce them to the necessity of fighting, or of retreating out of his way to New-England. Had they, to avoid an attack, retreated up the Mohawk river, they would, in case of St. Leger's success, have put themselves between two fires. Had they retreated to Albany, it was supposed their situation would have been worse, as a co-operation from New-York was expected. Besides, in case of that movement, an opportunity would have been given for a junction of Burgoyne and St. Leger. To have retired from the scene of action by filing off for New-England, seemed to be the only opening left for their escape. With such

* August 22.

views, general Burgoyne promised himself great advantages from advancing rapidly towards Albany. The principal objection against this plausible project, was the difficulty of furnishing provisions for his troops. To keep up a communication with Fort George, so as to obtain from that garrison regular supplies at a distance daily increasing, was wholly impracticable. The advantages which were expected from the proposed measure, were too dazzling to be easily relinquished. Though the impossibility of drawing provisions from the stores in their rear was known and acknowledged, yet a hope was indulged that they might be elsewhere obtained. A plan was therefore formed to open resources from the plentiful farms of Vermont. Every day's account, and particularly the information of colonel Skene, induced Burgoyne to believe, that one description of the inhabitants in that country were panic-struck, and that another, and by far the most numerous, were friends to the British interest, and only wanted the appearance of a protecting power to show themselves. Relying on this intelligence, he detached only 500 men, 100 Indians, and two field-pieces, which he supposed would be fully sufficient for the expedition. The command of this force was given to lieutenant-colonel Baum, and it was supposed that with it he would be enabled to seize upon a magazine of supplies which the Americans had collected at Bennington, and which was only guarded by militia. It was also intended to try the temper of the inhabitants, and to mount the dragoons. Lieutenant-colonel Baum was instructed to keep the regular force posted, while the light troops felt their way; and to avoid all danger of being surrounded, or of having his retreat cut off: But he proceeded with less caution than his perilous situation required. Confiding in the numbers and promised aid of those who were depended upon as friends, he presumed too much. On his approaching the place of his destination, he found the American militia stronger than had been supposed; he therefore took post in the vicinity, entrenched his party, and despatched an express to general Burgoyne, with an account of his situation. Colonel Breyman was detached

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to reinforce him. Though every exertion was made to push forward this reinforcement, yet, from the impracticable face of the country, and defective means of transportation, 32 hours elapsed before they had marched 24 miles. General Stark, who commanded the American militia at Bennington, engaged with them before the junction of the two royal detachments could be effected. On this occasion about 800 undisciplined militia, without bayonets, or a single piece of artillery, attacked and routed 500 regular troops, advantageously posted behind entrenchments, furnished with the best arms, and defended with two pieces of artillery. The field-pieces were taken from the party commanded by col. Baum, and the greatest part of the detachment was either killed or captured. Colonel Breyman arrived on the same ground and on the same day, but not till the action was over. Instead of meeting his friends, as he expected, he found himself briskly attacked. This was begun by colonel Warner (who with his continental regiment, having been sent for from Manchester, came opportunely at this time), and was well supported by Stark's militia, which had just defeated the party commanded by colonel Baum. Breyman's troops, though fatigued with their preceding march, behaved with great resolution, but were at length compelled to abandon their artillery, and retreat. In these two actions the Americans took four brass field-pieces, twelve brass drums, 250 dragoon swords, 4 ammunition-waggons, and about 700 prisoners. The loss of the Americans, inclusive of their wounded, was about 100 men. Congress resolved, "that their thanks be presented to general Stark, of the New-Hampshire militia, and the officers and troops under his command, for their brave and successful attack upon, and signal victory over the enemy in their lines at Bennington, and also that brigadier Stark be appointed a brigadier-general in the army of the United States." Never were thanks more deservedly bestowed. The overthrow of these detachments was the first link in a grand chain of causes, which finally drew down ruin on the whole royal army. The confidence with which the Americans were inspired, on finding

finding themselves able to defeat regular troops, produced surprising effects; it animated their exertions, and filled them with expectation of farther success.

That military pride, which is the soul of an army, was nurtured by the captured artillery, and other trophies of victory. In proportion to the elevation of the Americans was the depression of their adversaries. Accustomed to success, as they had been in the preceding part of the campaign, they felt unusual mortification from this unexpected check: Though it did not diminish their courage, it abated their confidence. It is not easy to enumerate all the disastrous consequences which resulted to the royal army, from the failure of their expedition to Bennington. These were so extensive, that their loss of men was the least considerable; it deranged every plan for pushing the advantages which had been previously obtained. Among other embarrassments it reduced general Burgoyne to the alternative of halting till he brought forward supplies from Fort George, or of advancing without them at the risque of being starved. The former being adopted, the royal army was detained from August 16th, to September 13th. This unavoidable delay gave time and opportunity for the Americans to collect in great numbers.

The defeat of lieutenant-colonel Baum was the first event which for a long time had taken place in favour of the American northern army. From December 1775, it had experienced one misfortune treading on the heels of another, and defeat succeeding defeat. Every moment had been either retreating or evacuating. The subsequent transactions present a remarkable contrast. Fortune, which, previous to the battle of Bennington, had not for a moment quitted the British standard, seemed, after that event, as if she had totally deserted it, and gone over to the opposite party.

After the evacuation of Ticonderoga, the Americans had fallen back from one place to another, till they at last fixed at Van Schaick's Island. Soon after the retreating system was adopted, congress recalled their general officers, and put general Gates at the head of their northern
army.

army. His arrival (on the 19th of August) gave fresh vigour to the exertions of the inhabitants. The militia, flushed with their recent victory at Bennington, collected in great numbers to his standard; they soon began to be animated with a hope of capturing the whole British army. A spirit of adventure burst forth in many different points of direction. While general Burgoyne was urging his preparations for advancing towards Albany, an enterprise was undertaken* by general Lincoln to recover Ticonderoga, and the other posts in the rear of the royal army. He detached colonel Brown with 500 men to the landing at Lake George. The colonel conducted his operations with so much address, that he surprised all the out-posts between the landing at the north end of Lake George, and the body of the fortress at Ticonderoga. He also took Mount Defiance and Mount Hope, the French lines, and a block-house, 200 batteaux, several gun-boats, and an armed sloop, together with 290 prisoners, and at the same time released 100 Americans. His own loss was trifling. Colonel Brown and colonel Johnson, the latter of whom had been detached with 500 men to attempt Mount Independence, on examination found that the reduction of either that post or of Ticonderoga, was beyond their ability. When the necessary stores for thirty days' subsistence were brought forward from Lake George, general Burgoyne gave up all communication with the magazines in the rear, and on the 13th and 14th of September crossed Hudson's river. The movement was the subject of much discussion; some charged it to the impetuosity of the general, and alleged that it was premature before he was sure of aid from the royal forces posted in New-York; but he pleaded the peremptory orders of his superiors. The rapid advance of Burgoyne, and especially his passage of the North River, added much to the impracticability of his future retreat, and in conjunction with subsequent events made the total ruin of his army in a great degree unavoidable.

General Burgoyne, after crossing the Hudson, ad-

* September 13.

vanced along its side, and in four days encamped on the heights, about two miles from general Gates's camp, which was three miles above Stillwater. The Americans, elated with their successes at Bennington and Fort Schuyler, thought no more of retreating, but came out to meet the advancing British, and engaged them with firmness and resolution. The attack began a little before mid-day of September 19th, between the scouting parties of the two armies. The commanders on both sides supported and reinforced their respective parties. The conflict, though severe, was only partial for an hour and a half; but after a short pause it became general, and continued for three hours without any intermission. A constant blaze of fire was kept up, and both armies seemed to be determined on death or victory. The Americans and British alternately drove, and were driven by each other; men, and particularly officers, dropped every moment, and on every side. Several of the Americans placed themselves in high trees, and as often as they could distinguish an officer's uniform, took him off by deliberately aiming at his person. Few actions have been characterised by more obstinacy in attack or defence; the British repeatedly tried their bayonets, but without their usual success in the use of that weapon. At length night put an end to the effusion of blood. The British lost upwards of 500 men, including their killed, wounded, and prisoners. The Americans, inclusive of the missing, lost 319. Thirty-six out of forty-eight British matrosses were killed or wounded. The 62d British regiment, which was 500 strong when it left Canada, was reduced to 60 men and 4 or 5 officers. This hard-fought battle decided nothing, and little else than honour was gained by either army; but nevertheless it was followed by important consequences: Of these, one was the diminution of the zeal and alacrity of the Indians in the British army. The dangerous service in which they were engaged, was by no means suited to their habits of war: They were disappointed of the plunder they expected, and saw nothing before them but hardships and danger. Fidelity and honour were too feeble motives in the minds of savages,

vages, to retain them in such an unproductive service. By deserting in the season when their aid would have been most useful, they furnished a second instance of the impolicy of depending upon them. Very little more perseverance was exhibited by the Canadjians and other British provincials: They also abandoned the British standard, when they found that, instead of a flying and dispirited enemy, they had a numerous and resolute force opposed to them. These desertions were not the only disappointment which general Burgoyne experienced. From the commencement of the expedition, he had promised himself a strong reinforcement from that part of the British army which was stationed at New-York; he depended on its being able to force its way to Albany, and to join him there, or in the vicinity. This co-operation, though attempted, failed in the execution, while the expectation of it contributed to involve him in some difficulties to which he would not have otherwise been exposed.

On the 21st of September, general Burgoyne received intelligence in a cipher, that sir Henry Clinton, who then commanded in New-York, intended to make a diversion in his favour, by attacking the fortresses which the Americans had erected on Hudson's River, to obstruct the intercourse between New-York and Albany. In answer to this communication he despatched to sir Henry Clinton some trusty persons, with a full account of his situation, and with instructions to press the immediate execution of the proposed co-operation, and to assure him, that he was enabled in point of provisions, and fixed in his resolution, to hold his present position till the 12th of October, in the hope of favourable events. The reasonable expectation of a diversion from New-York, founded on this intelligence, made it disgraceful to retreat, and at the same time improper to urge offensive operations. In this posture of affairs, a delay of two or three weeks, in expectation of the promised co-operation from New-York, became necessary. In the mean time, the provisions of the royal army were lessening, and the animation and numbers of the American army increasing. The New-England people were fully sensible, that their all was at stake, and at
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the same time sanguine, that by vigorous exertions Burgoyne would be so entangled, that his surrender would be unavoidable. Every moment made the situation of the British army more critical. From the uncertainty of receiving farther supplies, general Burgoyne lessened the soldiers' provisions. The 12th of October, the term till which the royal army had agreed to wait for aid from New-York, was fast approaching, and no intelligence of the expected co-operation had arrived. In this alarming situation, it was thought proper to make a movement to the left of the Americans. The body of troops employed for this purpose consisted of 1500 chosen men, and was commanded by generals Burgoyne, Philips, Reidesel, and Frazer. As they advanced, they were checked by a sudden and impetuous attack; but major Ackland, at the head of the British grenadiers, sustained it with great firmness. The Americans extended their attack along the whole front of the German troops, who were posted on the right of the grenadiers, and they also marched a large body round their flank, in order to cut off their retreat. To oppose this bold enterprise, the British light-infantry, with a part of the 24th regiment, were directed to form a second line, and to cover the retreat of the troops into the camp. In the mean time, the Americans pushed forward a fresh and a strong reinforcement, to renew the action on Burgoyne's left. That part of his army was obliged to give way, but the light-infantry and 24th regiment, by a quick movement, came to its succour, and saved it from total ruin. The British lines being exposed to great danger, the troops which were nearest to them returned for their defence. General Arnold, with a brigade of continental troops, pushed for the works possessed by lord Balcarras, at the head of the British light-infantry; but the brigade having an abatis to cross, and many other obstructions to surmount, was compelled to retire. Arnold left this brigade, and came to Jackson's regiment, which he ordered instantly to advance and attack the lines and redoubt in their front, which were defended by lieutenant-colonel Breyman at the head of the German grenadiers. The assailants pushed on with rapidity,

pidity, and carried the works; Arnold was one of the first who entered them. Lieutenant-colonel Breyman was killed: The troops commanded by him retired firing; they gained their tents about 30 or 40 yards from their works; but on finding that the assault was general, they gave one fire, after which some retreated to the British camp, but others threw down their arms. The night put an end to the action.

This day was fatal to many brave men; the British officers suffered more than their common proportion. Among their slain, general Frazer, on account of his distinguished merit, was the subject of particular regret: Sir James Clark, Burgoyne's aid-de-camp, was mortally wounded: The general himself had a narrow escape; a shot passed through his hat, and another through his waistcoat: Majors Williams and Ackland were taken, and the latter wounded. The loss of the Americans was inconsiderable; but general Arnold, to whose impetuosity they were much indebted for the success of the day, was among their wounded. They took more than 200 prisoners, besides 9 pieces of brass artillery, and the encampment of a German brigade with all their equipage.

The royal troops were under arms the whole of the next day, in expectation of another action; but nothing more than skirmishes took place. At this time, general Lincoln, when reconnoitring, received a dangerous wound; an event which was greatly regretted, as he possessed much of the respect and confidence of the American army.

The position of the British army, after the action of the 7th, was so dangerous, that an immediate and total change became necessary. This hazardous measure was executed without loss or disorder: The British camp, with all its appurtenances, was removed in the course of a single night. The American general now saw a fair prospect of overcoming the army opposed to him, without exposing his own to the danger of another battle. His measures were therefore principally directed to cut off their retreat, and prevent them from receiving any farther supplies.

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While general Burgoyne was pushing on towards Albany, an unsuccessful attempt to relieve him was made by the British commander in New-York. For this purpose, sir Henry Clinton, on the 5th of October, conducted an expedition up Hudson's river. This consisted of about 3000 men, and was accompanied by a suitable naval force. After making many feints he landed at Stoney Point, and marched over the mountains to Fort Montgomery, and attacked the different redoubts. The garrison, commanded by governor Clinton, a brave and intelligent officer, made a gallant resistance; but as the post had been designed principally to prevent the passing of ships, the works on the land side were incomplete and untenable. When it began to grow dark, the British entered the fort with fixed bayonets. The loss on neither side was great; governor Clinton, general James Clinton, and most of the officers and men, effected their escape under cover of the thick smoke and darkness that suddenly prevailed.

The reduction of this post furnished the British with an opportunity for opening a passage up the North River; but instead of proceeding forward to Burgoyne's encampment, or even to Albany, they spent several days in laying waste the adjacent country. The Americans destroyed Fort Constitution, and also set fire to two new frigates and some other vessels. General Tryon at the same time destroyed a settlement, called Continental Village, which contained barracks for 1500 men, besides many stores. Sir James Wallace with a flying squadron of light frigates, and general Vaughan with a detachment of land forces, continued on and near the river for several days, desolating the country near its margin. On the 13th of October general Vaughan so completely burned Esopus, a fine flourishing village, that a single house was not left standing, though on his approach the Americans had left the town without making any resistance. Charity would lead us to suppose that these devastations were designed to answer military purposes: Their authors might have hoped to divert the attention of general Gates, and thus indirectly relieve general Burgoyne; but if this

was intended, the artifice did not take effect. The preservation of property was with the Americans only a secondary object. The capturing of Burgoyne promised such important consequences, that they would not suffer any other consideration to interfere with it. General Gates did not make a single movement that lessened the probability of effecting his grand purpose. He wrote an expostulatory letter to Vaughan, part of which was in the following terms: "Is it thus your king's generals think to make converts to the royal cause? It is no less surprising than true, that the measures they adopt to serve their master, have a quite contrary effect. Their cruelty establishes the glorious act of independence upon the broad basis of the resentment of the people." Whether policy or revenge led to this devastation of property is uncertain; but it cannot admit of a doubt that it was far from being the most effectual method of relieving Burgoyne.

The passage of the North River was made so practicable by the advantages gained on the 6th of October, that sir Henry Clinton, with his whole force, amounting to 3000 men, might not only have reached Albany, but general Gates's encampment, before the 12th, the day till which Burgoyne had agreed to wait for aid from New-York. While the British were doing mischief to individuals without serving the cause of their royal master, they might in all probability, by pushing forward about 136 miles in six days, have brought Gates's army between two fires, at least twenty-four hours before Burgoyne's necessity compelled his submission to articles of capitulation. Why they neglected this opportunity of relieving their suffering brethren, about thirty-six miles to the northward of Albany, when they were only about one hundred miles below it, has never yet been satisfactorily explained.

Gates posted 1400 men on the heights opposite the fords of Saratoga, and 2000 more in the rear, to prevent a retreat to Fort Edward, and 1500 at a ford higher up. Burgoyne, receiving intelligence of these movements, concluded from them, especially from the last, that Gates meant to turn his right. This, if effected, would have entirely enclosed him: To avoid being hemmed in, he

resolved on an immediate retreat to Saratoga. His hospital, with the sick and wounded, were necessarily left behind; but they were recommended to the humanity of general Gates, and received from him every indulgence their situation required. When general Burgoyne arrived at Saratoga, he found that the Americans had posted a considerable force on the opposite heights to impede his passage at that ford. In order to prepare the way for a retreat to Lake George, general Burgoyne ordered a detachment of artificers, with a strong escort of British and provincials, to repair the bridges and open the road leading thither. Part of the escort was withdrawn on other duty, and the remainder, on a slight attack of an inconsiderable party of Americans, ran away. The workmen, thus left without support, were unable to effect the business on which they had been sent. The only practicable route of retreat which now remained, was by a night march to Fort Edward. Before this attempt could be made, scouts returned with intelligence, that the Americans were entrenched opposite to those fords on the Hudson's River, over which it was proposed to pass, and that they were also in force on the high ground between Fort Edward and Fort George; they had at the same time parties down the whole shore, and posts, so near as to observe every motion of the royal army. Their position extended nearly round the British, and was by the nature of the ground in a great measure secured from attacks. The royal army could not stand its ground where it was, from the want of the means necessary for their subsistence; nor could it advance towards Albany without attacking a force greatly superior in number; nor could it retreat without making good its way over a river in the face of a strong party, advantageously posted on the opposite side. In case of either attempt, the Americans were so near as to discover every movement, and by means of their bridge could bring their whole force to operate.

Truly distressing was the condition of the royal army. Abandoned in the most critical moment by their Indian allies, unsupported by their brethren in New-York, weakened by the timidity and desertion of the Canadians,

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worn down by a series of incessant efforts, and greatly reduced in their numbers by repeated battles, they were invested by an army nearly three times their number, without a possibility of retreat, or of replenishing their exhausted stock of provisions. A continual cannonade pervaded their camp, and rifle and grape shot fell in many parts of their lines; they nevertheless retained a great share of fortitude.

In the mean time the American army was hourly increasing. Volunteers came in from all quarters, eager to share in the glory of destroying or capturing those whom they considered as their most dangerous enemies. The 13th of October at length arrived: The day was spent in anxious expectation of its producing something of consequence. But as no prospect of assistance appeared, and their provisions were nearly expended, the hope of receiving any in due time for their relief could not reasonably be farther indulged. General Burgoyne thought proper in the evening to take an account of the provisions left. It was found on inquiry, that they would amount to no more than a scanty subsistence for three days. In this state of distress, a council of war was called, and it was made so general, as to comprehend both the field officers and the captains. Their unanimous opinion was, that their present situation justified a capitulation on honourable terms. A messenger was therefore despatched to begin this business. General Gates in the first instance demanded, that the royal army should surrender prisoners of war. He also proposed that the British should ground their arms. But general Burgoyne replied, "This article is inadmissible in every extremity; sooner than this army will consent to ground their arms in their encampment, they will rush on the enemy, determined to take no quarter." After various messages a convention was settled, by which it was substantially stipulated as follows: "The troops under general Burgoyne to march out of their camp with the honours of war, and the artillery of the entrenchments to the verge of the river, where the arms and artillery are to be left. The arms to be piled by word of command from their own officers. A free passage

passage to be granted to the army under lieutenant-general Burgoyne to Great Britain, upon condition of not serving again in North America during the present contest, and the port of Boston to be assigned for the entry of the transports to receive the troops whenever general Howe shall so order. The army under lieutenant-general Burgoyne to march to Massachusetts Bay, by the easiest route, and to be quartered in, near, or as convenient as possible, to Boston. The troops to be provided with provision by general Gates's orders, at the same rate of rations as the troops of his own army. All officers to retain their carriages, bat-horses, and no baggage to be molested or searched. The officers are not, as far as circumstances will admit, to be separated from their men. The officers to be quartered according to their rank. All corps whatever of lieutenant-general Burgoyne's army to be included in the above articles. All Canadians, and persons belonging to the Canadian establishment, and other followers of the army, to be permitted to return to Canada, to be conducted to the first British post on Lake George, and to be supplied with provisions as the other troops, and to be bound by the same condition of not serving during the present contest. Passports to be granted to three officers, to carry despatches to sir William Howe, sir Guy Carleton, and to Great Britain. The officers to be admitted on their parole, and to be permitted to wear their side-arms." Such were the embarrassments of the royal army, incapable of subsisting where it was, or of making its way to a better situation, that these terms were rather more favourable than they had a right to expect. On the other hand, it would not have been prudent for the American general at the head of his army, which, though numerous, consisted mostly of militia or new levies, to have provoked the despair of even an inferior number of brave, disciplined, regular troops. General Gates rightly judged that the best way to secure his advantages was to use them with moderation. Soon after the convention was signed, the Americans marched into their lines, and were kept there till the royal army had deposited their arms at the place appointed. The delicacy

delicacy with which this business was conducted, reflected the highest honour on the American general; nor did the politeness of Gates end here: Every circumstance was withheld that could constitute a triumph in the American army. The captive general was received by his conqueror with respect and kindness. A number of the principal officers of both armies met at general Gates's quarters, and for a while seemed to forget in social and convivial pleasures that they had been enemies. The conduct of general Burgoyne in this interview with general Gates was truly dignified, and the historian is at a loss whether to admire most, the magnanimity of the victorious, or the fortitude of the vanquished general.

The British troops partook liberally of the plenty that reigned in the American army. It was the more acceptable to them, as they were destitute of bread and flour and had only as much meat left as was sufficient for a day's subsistence.

By the convention which has been mentioned, 5790 men were surrendered prisoners. The sick and wounded left in camp, when the British retreated to Saratoga, together with the numbers of the British, German, and Canadian troops, who were killed, wounded, or taken, and who had deserted in the preceding part of the expedition, were reckoned to be 4689. The whole royal force, exclusive of Indians, was probably about 10,000. The stores which the Americans acquired were considerable. The captured artillery consisted of 35 brass field-pieces; there were also 4647 muskets, and a variety of other useful and much wanted articles, which fell into their hands. The continentals in general Gates's army were 9093, the militia 4129, but of the former 2103 were sick or on furlough, and 562 of the latter were in the same situation. The number of the militia was constantly fluctuating.

The general exultation of the Americans, on receiving the agreeable intelligence of the convention of Saratoga, disarmed them of much of their resentment. The burnings and devastations which had taken place were sufficient to have inflamed their minds; but private feelings were in a great measure absorbed by a consideration of the many
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advantages which the capture of so large an army promised to the new-formed states.

In a short time after the convention was signed, general Gates moved forward to stop the devastations of the British on the North River; but on hearing of the fate of Burgoyne, Vaughan and Wallace retired to New-York.

About the same time the British, which had been left in the rear of the royal army, destroyed their cannon, and abandoning Ticonderoga, retreated to Canada. The whole country, after experiencing for several months the confusions of war, was in a moment restored to perfect tranquillity.

General Washington soon after the defeat of Burgoyne received a considerable reinforcement from the northern army, which had accomplished that great event. With this increased force he took a position at and near White-marsh. The royal army having succeeded in removing the obstructions in the river Delaware, were ready for new enterprises. On the 4th of December, sir William Howe marched out of Philadelphia with almost his whole force, expecting to bring on a general engagement. The next morning he appeared on Chesnut Hill, in front of, and about three miles distant from the right wing of the Americans. On the day following the British changed their ground, and moved to the right. Two days after they moved still farther to the right, and made every appearance of an intention to attack the American encampment. Some skirmishes took place, and a general action was hourly expected; but on the morning of the next day, after various marches and countermarches, the British filed off from their right, by two or three different routes, in full march for Philadelphia.

The position of general Washington, in a military point of view, was admirable: He was so sensible of the advantage of it, that the manœuvres of sir William Howe for some days, could not allure him from it. In consequence of the reinforcement lately received, he had not in any preceding period of the campaign been in an equal condition for a general engagement. Though he ardently wished to be attacked, yet he would not relinquish a position

tion from which he hoped for reparation for the adversities of the campaign. He could not believe that general Howe with a victorious army, and that lately reinforced with four thousand men from New-York, should come out of Philadelphia only to return thither again. He therefore presumed, that to avoid the disgrace of such a movement, the British commander would, from a sense of military honour, be compelled to attack him, though under great disadvantages. When he found him cautious of engaging, and inclining to his left, a daring design was formed, which would have been executed had the British either continued in their position, or moved a little farther to the left of the American army. This was to have attempted in the night to surprise Philadelphia. The necessary preparations for this purpose were made, but the retreat of the British prevented its execution. Soon after these events, general Smallwood, with a considerable force, was posted at Wilmington on the banks of the Delaware, and general Washington with the main army retired to winter-quarters at Valley Forge, sixteen miles distant from Philadelphia. This position was preferred to distant and more comfortable villages, as being calculated to give the most extensive security to the country adjacent to Philadelphia. The American army might have been tracked by the blood of their feet, in marching without shoes or stockings over the hard frozen ground between White-marsh and Valley Forge. Some hundreds of them were without blankets. Under these circumstances they had to sit down in a wood, in the latter end of December, and to build huts for their accommodation. This mode of procuring winter-quarters, if not entirely novel, has been rarely, if ever, practised in modern war. The cheerfulness with which the general and his army submitted to spend a severe winter in such circumstances, rather than leave the country exposed by retiring farther, demonstrated as well their patriotism as their fixed resolution to suffer every inconvenience in preference to submission. Thus ended the campaign of 1777. Though sir William Howe's army had been crowned with the most brilliant success, having gained two considerable victories, and been equally triumphant

triumphant in many smaller actions, yet the whole amount of this tide of good fortune was no more than a good winter lodging for his troops in Philadelphia, whilst the men under his command possessed no more of the adjacent country than what they immediately commanded with their arms. The congress, it is true, was compelled to leave the first seat of their deliberations, and the greatest city in the United States changed a number of its whig inhabitants for a numerous royal army; but it is as true that the minds of the Americans were, if possible, more hostile to the claims of Great Britain than ever, and their army had gained as much by discipline and experience, as compensated for its diminution by defeats.

The events of this campaign were adverse to the sanguine hopes which had been entertained of a speedy conquest of the revolted colonies. Repeated proofs had been given, that, though general Washington was very forward to engage when he thought it to his advantage, yet it was impossible for the royal commander to bring him to action against his consent. By this mode of conducting the defence of the new-formed states, two campaigns had been wasted away, and the work which was originally allotted for one, was still unfinished.

An account of some miscellaneous transactions will close this chapter. Lieutenant-colonel Barton, of a militia regiment of the state of Rhode Island, accompanied by about 40 volunteers, passed by night, on the 9th of July, from Warwick Neck to Rhode Island, and surprised general Prescott in his quarters, and brought him and one of his aids safe off to the continent. Though they had a passage of ten miles by water, they eluded the ships of war and guard-boats which lay all round the island. The enterprise was conducted with so much silence and address, that there was no alarm among the British till the colonel and his party had nearly reached the continent with their prize. Congress soon after resolved, that an elegant sword should be presented to lieutenant-colonel Barton, as a testimonial of their sense of his gallant behaviour.

It has already been mentioned, that congress, in the latter end of November 1775, authorised the capture of vessels laden with stores or reinforcements for their enemies. On the 23d of March 1776, they extended this permission so far as to authorise their inhabitants to fit out armed vessels to cruize on the enemies of the United Colonies. The Americans henceforth devoted themselves to privateering, and were very successful. In the course of the year they made many valuable captures, particularly of homeward-bound West-India-men. The particulars cannot be enumerated; but good judges have calculated, that within nine months after congress authorised privateering, the British loss in captures, exclusive of transports and government store-ships, exceeded a million sterling. They found no difficulty in selling their prizes; the ports of France were open to them, both in Europe and in the West Indies. In the latter they were sold without any disguise, but in the former a greater regard was paid to appearances. Open sales were not permitted in the harbours of France at particular times, but even then they were made at the entrance or offing.

In the French West India islands the inhabitants not only purchased prizes, brought in by American cruizers, but fitted out privateers under American colours and commissions, and made captures of British vessels. William Bingham, of Philadelphia, was stationed as the agent of congress, at Martinico, and he took an early and active part in arming privateers at St. Pierre, to annoy and cruize against British property. The favourable disposition of the inhabitants furnished him with an opportunity which he successfully improved, not only to distress the British commerce, but to sow the seeds of discord between the French and English. The American privateers also found countenance in some of the ports of Spain, but not so readily nor so universally as in those of France. The British took many of the American vessels, but they were often of inferior value. Such of them as were laden with provisions, proved a seasonable relief to the West India islands, which otherwise would have suffered from the want of

of those supplies, which before the war had been usually procured from the neighbouring continent.

The American privateers in the year 1777, increased in numbers and boldness. They insulted the coasts of Great Britain and Ireland in a manner that had never before been attempted. Such was their spirit of adventure, that it became necessary to appoint a convey for the protection of the linen ships from Dublin and Newry. The General Mifflin privateer, after making repeated captures, arrived at Brest, and saluted the French admiral. This was returned in form as to the vessel of an independent power. Lord Stormont, the British ambassador at the court of Versailles, irritated at the countenance given to the Americans, threatened to return immediately to London, unless satisfaction was given, and different measures were adopted by France. An order was issued in consequence of his application, requiring all American vessels to leave the ports of his most Christian majesty : But though the order was positive, so many evasions were practised, and the execution of it was so relaxed, that it produced no permanent discouragement of the beneficial intercourse.

Immediately after the surrender of the troops commanded by lieutenant-general Burgoyne, they were marched to the vicinity of Boston. On their arrival they were quartered in the barracks on Winter and Prospect Hills. The general court of Massachusetts passed proper resolutions for procuring suitable accommodations for the prisoners ; but from the general unwillingness of the people to oblige them, and from the feebleness of that authority which the republican rulers had at that time over the property of their fellow-citizens, it was impossible to provide immediately for so large a number of officers and soldiers, in such a manner as their convenience required, or as from the articles of convention they might reasonably expect. The officers remonstrated to general Burgoyne, that six or seven of them were crowded together in one room, without any regard to their respective ranks, in violation of the 7th article of the convention. General

ral Burgoyne, on the 14th of November, forwarded this account to general Gates, and added, "The public faith is broken." This letter being laid before congress gave an alarm: It corroborated an apprehension previously entertained, that the captured troops on their embarkation would make a junction with the British garrisons in America. The declaration of the general, that "the public faith was broken," while in the power of congress, was considered by them as destroying the security which they before had in his personal honour; for in every event he might adduce his previous notice to justify his future conduct. They therefore resolved, "That the embarkation of lieutenant-general Burgoyne, and the troops under his command, be postponed, till a distinct and explicit ratification of the convention of Saratoga be properly notified by the court of Great Britain to congress." General Burgoyne explained the intention and construction of the passage objected to in his letter, and pledged himself, that his officers would join with him in signing any instrument that might be thought necessary for confirming the convention; but congress would not recede from their resolution. They alleged, that it had been often asserted by their adversaries, that "faith was not to be kept with rebels," and that therefore they would be deficient in attention to the interest of their constituents if they did not require an authentic ratification of the convention by national authority before they parted with the captured troops. They urged farther, that by the law of nations, a compact broken in one article was no longer binding in any other. They made a distinction between the suspension and abrogation of the convention, and alleged that ground to suspect an intention to violate it, was a justifying reason for suspending its execution on their part till it was properly ratified. The desired ratification, if Great Britain was seriously disposed to that measure, might have been obtained in a few months, and congress uniformly declared themselves willing to carry it into full effect, as soon as they were secured of its observance by proper authority on the other side.

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The American privateers in the year 1777, increased in numbers and boldness. They insulted the coasts of Great Britain and Ireland in a manner that had never before been attempted. Such was their spirit of adventure, that it became necessary to appoint a convey for the protection of the linen ships from Dublin and Newry. The General Mifflin privateer, after making repeated captures, arrived at Brest, and saluted the French admiral. This was returned in form as to the vessel of an independent power. Lord Stormont, the British ambassador at the court of Versailles, irritated at the countenance given to the Americans, threatened to return immediately to London, unless satisfaction was given, and different measures were adopted by France. An order was issued in consequence of his application, requiring all American vessels to leave the ports of his most Christian majesty : But though the order was positive, so many evasions were practised, and the execution of it was so relaxed, that it produced no permanent discouragement of the beneficial intercourse.

Immediately after the surrender of the troops commanded by lieutenant-general Burgoyne, they were marched to the vicinity of Boston. On their arrival they were quartered in the barracks on Winter and Prospect Hills. The general court of Massachusetts passed proper resolutions for procuring suitable accommodations for the prisoners ; but from the general unwillingness of the people to oblige them, and from the feebleness of that authority which the republican rulers had at that time over the property of their fellow-citizens, it was impossible to provide immediately for so large a number of officers and soldiers, in such a manner as their convenience required, or as from the articles of convention they might reasonably expect. The officers remonstrated to general Burgoyne, that six or seven of them were crowded together in one room, without any regard to their respective ranks, in violation of the 7th article of the convention. General

ral Burgoyne, on the 14th of November, forwarded this account to general Gates, and added, "The public faith is broken." This letter being laid before congress gave an alarm: It corroborated an apprehension previously entertained, that the captured troops on their embarkation would make a junction with the British garrisons in America. The declaration of the general, that "the public faith was broken," while in the power of congress, was considered by them as destroying the security which they before had in his personal honour; for in every event he might adduce his previous notice to justify his future conduct. They therefore resolved, "That the embarkation of lieutenant-general Burgoyne, and the troops under his command, be postponed, till a distinct and explicit ratification of the convention of Saratoga be properly notified by the court of Great Britain to congress." General Burgoyne explained the intention and construction of the passage objected to in his letter, and pledged himself, that his officers would join with him in signing any instrument that might be thought necessary for confirming the convention; but congress would not recede from their resolution. They alleged, that it had been often asserted by their adversaries, that "faith was not to be kept with rebels," and that therefore they would be deficient in attention to the interest of their constituents if they did not require an authentic ratification of the convention by national authority before they parted with the captured troops. They urged farther, that by the law of nations, a compact broken in one article was no longer binding in any other. They made a distinction between the suspension and abrogation of the convention, and alleged that ground to suspect an intention to violate it, was a justifying reason for suspending its execution on their part till it was properly ratified. The desired ratification, if Great Britain was seriously disposed to that measure, might have been obtained in a few months, and congress uniformly declared themselves willing to carry it into full effect, as soon as they were secured of its observance by proper authority on the other side.

About eight months after, certain royal commissioners made a requisition respecting these troops; offered to ratify the convention, and required permission for their embarkation. On inquiry it was found that they had no authority to do any thing in the matter which would be obligatory on Great Britain. Congress therefore resolved, "That no ratification of the convention, which may be tendered in consequence of powers which only reach that case by construction and implication, or which may subject whatever is transacted relative to it, to the future approbation or disapprobation of the parliament of Great Britain, can be accepted by congress."

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NOTES

TO THE

SECOND VOLUME.

NOTE [A], p. 108.

A FAVOURITE idea prevailed, and was often urged in argument by administration, "that absolute passive obedience is due to all acts of the legislature, which must not, *in any case whatever*, be questioned, much less resisted by the people." Mr. Locke thought otherwise. But, in truth, it is a point rather of *practical* policy. If, however, the postulatam were admitted in *speculation*, the inference will not reach from Westminster to Boston. It never was proved, that our *lords spiritual* and *temporal* had *privilege* in America; and that *our* knights, citizens, and burgesses, were *their* representatives.

NOTE [B], p. 114.

AN allusion to the game of chess.—The *king* is the object of the game; and therefore the most valuable, though not the most powerful, piece on the board. *Check-mate* is that situation where he is so weakly supported by his pieces, or so entangled by their injudicious disposition, that he cannot escape. This danger is often incurred by exposing himself too much, and taking too active a part in the game. Vide Philidor.—It is certainly a noble and royal pastime. Charles I. was actually playing at it in the Scots camp, when intelligence was brought

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to him of their final resolution to betray him. In due praise of the royal steadiness, the historian observes, that "he continued his game without interruption." See Hume's History of England:—Or, as lord Chatham once called it, "his *apology* for the House of Stuart."

THE END OF VOL. II.

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